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BIENNIAL MESSAGE

OF THE

Governor of Iowa,

TO THE

GENERAL ASSEMBLY.

Delivered December 9th, 1854.

IOWA CITY
D A. MAHONY & J. B DORR, STATE PRINTERS.
1854.

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GENTLEMEN OF THE SENATE

AND HOUSE OF REPRESENTATIVES:

You have again assembled in obedience to the mandates of the Constitution to deliberate upon the affairs of State and to enact such measures as may be necessary to secure to the people their just rights and privileges under a republican form of government.

Your duties are of no ordinary character. The enactment of laws for the government of a State which must directly or indirectly affect the welfare of every person within its jurisdiction, will show the importance of the powers with which you have been invested, and how wisely and judiciously they should be exercised. Our constitution is less careful of prescribing legislative duties to be performed, than of imposing certain restrictions upon legislative action. The examples of history and constant experience teach us, that there is a tendency in political associations as well as in persons, to an undue exercise of power inconsistent with individual rights. For that reason an unwavering adherence to constitutional principles, a constant regard for the rights and privileges secured to, and retained by the people, and a strict observance of the prohibitions upon legislation, should, under all circumstances, be maintained.

It gratifies me to inform you that the State is in a highly prosperous condition, general health prevails, a bountiful harvest has again crowned the efforts of the husbandman; emigration unprecedented in the history and settlement of the West, has been pouring in upon us, the public lands are being rapidly settled and improved by those who, with the pioneers of the country, will doubtless build up a government, which for its liberal and just policy and its attachment for the Union will rank among the first of western States. For this prosperity and all the great privileges which we enjoy, let us be grateful to HIM who holds in his hand the destiny of men and nations.

25091

In calling your attention to the condition of the State, it is

in the first place appropriate that I should refer to our financial affairs, and I do so with pride, when I contrast that condition with many of our sister States The funded debt of the State for which bonds have been issued, as will appear by the report of the Auditor, amounts to the sum of seventy nine thousand seven hundred and ninety-five dollars and seventy-five cents.

Sixteen thousand four hundred and forty-two dollars and five cents of these bonds became due on the first day of May last, and the others will be payable in 1856, '57, and '59. It will therefore be necessary for you to make provisions for their payment in the event that the ordinary revenue should not prove sufficient for that purpose. I need not say that the payment of these debts at maturity is important to preserve the good faith and credit of the State.

By the Treasurer's report which is herewith transmitted, it will be seen that from the first day of November, 1852, up to the thirty-first day of October, 1854, there has been received into the Treasury one hundred and twenty-five thousand four hundred and sixty-two dollars and fifty-seven cents, ten thousand five hundred fifteen dollars and seventy cents of which was received on the sale of Saline lands. During that time there has been paid out on Auditor's warrants one hundred and eighteen thousand five hundred and forty-two dollars and ninety cents. The amount of monies in the Treasury on the thirty-first day of October last, being fifteen thousand five hundred and twenty-two dollars and twenty-two cents, including the sum of eight thousand six hundred and two dollars and eighty-eight cents which was in the Treasury on the first day of November, 1852.

At the last session of the General Assembly, it was thought advisable to so amend the revenue law, as to require the assessment of taxable property to be made by a township instead of a county officer. This system, as I have been informed, has proven much more expensive than the former one, and leads to errors and inequalities which have been injurious to the public revenue, and unjust to individuals.

To secure uniformity in the assessment of property, and

remedy, as far as practicable, the evils complained of, I would recommend that the present law be so amended as to require the election of a county assessor for each county, with such other regulations as may be thought necessary to secure a faithful discharge of his duty.

Permit me again to call the attention of the General Assembly to the laws establishing Common schools and the State University, as a subject of the greatest importance, and in which the people feel a deep interest.

Experience has taught us that these laws are too complicated, and by frequent amendments have become inexplicit and contradictory, so much so, that it has become difficult to understand, or carry them into force, without the commission of errors, which not unfrequently lead to protracted and burdensome litigation

Another objection to the system, is the employment of a greater number of officers than would seem to be necessary, and among them, that of school fund Commissioner in each county, the duties of which officer might, it is believed, be discharged by the county Treasurer with less expense and greater accuracy than under the present arrangement.

There is also a want of uniformity in the system of education in our common schools, produced by the frequent change of text-books, made by the teachers who conduct them, which occasions unneccessary expense, and proves detrimental to the scholar. In connection with the subject of books, permit me to recommend Dr. Noah Webster's American Dictionary as one of the most comprehensive, learned and valuable works of the kind which has been published in the English language; and also, allow me to add, that the Constitution of the United States, and of this State, should be taught in all of our public schools. A system of education by which knowledge is placed within the reach of all, and our youth are taught to comprehend the rights and privileges of citizenship, will fit them for the enlightened discharge of the important duties to which they may be called.

The establishment and endowment of an asylum for lunatics, is a measure which should commend itself to your favorable

consideration. We cannot but be aware of the fact, that we have a considerable number of those unfortunate persons in our State, who have strong claims upon our sympathy and bounty, and who must be removed from their friends to other States in order to obtain the means of alleviating and improving their condition, or of being confined in our jails and poor-houses.

By an act of Congress, admitting the State of Iowa into the Union, approved March 3d 1845, all salt springs within the State, not exceeding twelve in number with six sections of land adjoining or as contiguous as might be, to each, were granted to the State for its use, with a proviso that the General Assembly should never lease or sell the same at any one time, for a longer period than ten years, without the consent of Congress

Under these provisions an act was passed by the General Assembly, approved February 5th, 1851, providing, that as soon as the consent of Congress could be obtained these lands might be sold and that the proceeds should constitute a fund for founding and supporting a lunatic asylum and further providing that the amount realized should be invested, and the interest only to be used for that purpose unless the Commissioners of the asylum should think that the good of the State required eight thousand dollars of the principal fund to assist in the building and furnishing of said asylum Five thousand dollars was also authorized to be paid, at the discretion of the Superintendent of Public Instruction, for the use of the College of Physicians and Surgeons at Keokuk.

Congress having given their consent that the lands might be sold, an act was passed on the 25th day of January, 1853, for the carrying out of the purposes expressed by the act of February 5th, 1851.

In consequence of the rejection by the general government of a portion of the land which it had before selected for the State, and in order that others might be made, I appointed Israel Keister, Esq, as agent for that purpose, a copy of whose report is herewith transmitted. As yet I have received no information whether the last selection has been approved or rejected.

Should you believe that the prompt sale of these lands would

not be sufficient to establish and maintain the asylum, after paying the five thousand dollars to the Medical College at Keokuk, then I submit whether it would not be highly appropriate to provide other ways and means to accomplish an object so desirable

Your attention is invited to the report of the Inspectors of the Penitentiary, which is herewith submitted, and which together with the report of the Warden which will doubtless be laid before you, will exhibit the affairs of the prison for the last two years By an act of the General Assembly, approved January 13th, 1853, the Inspectors and Wardens were authorized to lease or hire out the prisoners to be worked in the shops upon the prison grounds, if they should deem that the interests of the State would be the best promoted by so doing They have accordingly executed a contract, hiring the services of the convicts for the term of ten years from the first day of June 1854. This contract, with the report of the officers, will be subjects for your careful investigation, and should it appear that the laws and regulations for the government of the prison are deficient, such other provisions should be made as will secure economy and good order in the administration of its affairs

It is necessary that I should again call your attention to the improvement of the Des Moines river, which in consequence of the many difficulties and obstacles which have been presented from time to time, has made but slow progress towards completion. At the last session of the General Assembly, after an investigation of the condition of the improvement, acts were passed providing for the election of a Commissioner and Register, by the qualified electors of the State on the first Monday of April, 1853, and at the same time appointing George G. Wright of Van Buren and Uriah Biggs of Wapello county as assistant Commissioners, investing them with full power and authority to sell and dispose of all the lands tolls and water rents, as they might deem most expedient for the early completion and vigorous prosecution of the improvement.

Under these provisions of law a contract has been made

with Mr. Henry O'Riley and others for the completion of the improvement—a portion of the old debts have been paid, and the work is said to be progressing. In the report of the Commissioner and Register, which will be laid before you, will undoubtedly be found the contract and all the information which may be necessary for a full understanding of the business intrusted to the charge of those officers, who, it is believed, with the assistant Commissioners, have done everything in their power to carry out the provisions and instructions of the laws under which they have acted.

In connection with this improvement your attention is respectfully called to the claims which have been presented by Hon. Reverdy Johnson and Chancellor Walworth of New York in obtaining a reversal of the decision of the Secretary of the Interior, limiting the grant of land for that improvement to the Raccoon fork of the Des Moines river. These gentlemen have acted in good faith, and rendered most important service to the State; it is therefore appropriate that their claims should beallowed, inasmuch as Bangs & Brother, the contractors who were liable at the time, have failed to pay them, and the State has received the benefit of their efforts. The correspondence of Chancellor Walworth is herewith submitted, and that of Mr. Johnson will be found among the proceedings of the last General Assembly.

Since the formation of our State government up to the present time, recommendations have been made to the General Assembly to enact such laws as would comply with the Constitution of this State, and the laws of the United States as to the organization of the militia, and to which subject I would again invite your special attention.

The object of the law of Congress in requiring the organization of the military force of each State, and the appropriations for arms to be distributed to them from year to year, is for the purpose of enabling them to defend themselves in cases of emergency, and at the same time to be serviceable to the National Government in the defence of the country should their services be needed.

It should be remembered that Iowa is a frontier State;

portions of our northern and western boundaries are subject to the incursions of Indians, who have but recently disposed of their right to the soil, who return for the purpose of hunting, and not unfrequently commit depredations upon the white inhabitants before United States troops, or any effective military force, can be obtained to repel them. It is therefore prudent and necessary that we should have such a military organization as will enable us in a case of emergency to defend ourselves and protect our citizens.

In July last, I received information from the counties of Cerro Gordo, Floyd, Bremer, Chickasaw, Franklin and others, that a large body of Indians well armed and equipped, had made demonstrations of hostilities by fortifying themselves in various places, killing stock, and plundering houses, and that many of the inhabitants had entirely forsaken their homes and left a large portion of their property at the mercy of the enemy; praying that a military force might be sent to protect them and their settlements. Upon the reception of this information, an order was immediately issued to Gen. John G. Shields, directing him to call out the City Guards of Dubuque, and such other force as might be necessary, not exceeding two companies, to remove the Indians from the State. This order was promptly obeyed, and the company were ready for service, when information was received that the Indians had dispersed—that the citizens were returning to their homes, and quiet had been restored. It therefore became unnecessary for any further proceedings.

Authority was also given to Major Williams, of Fort Dodge, in this State, to raise a volunteer company, should it be necessary to remove any Indians who should be found disturbing any of the inhabitants of the County of Franklin or adjoining counties. On the first day of September last he reported that he had not found it necessary to raise any military force, as there did not then exist any cause for alarm, or danger to the settlers.

In April last a communication was received from the ordnance office at Washington, stating that there was due to this State arms to the value of two hundred and thirty-five muskets,

with the desire that the kind and description should be designated. This request was complied with, and the arms have been received, and distributed to organized military companies at Dubuque, Davenport, and Keokuk, with the exception of one brass six-pound gun, which remains to be drawn at the United States Arsenal in St. Louis, Missouri.

My attention has been called to the proceedings of a convention held in this city, on the twenty-eighth day of October last, by the old soldiers of the war of 1812, for the purpose of asking relief from Congress, for their services in that war. It may be truly said of these soldiers, that old age is now upon them—t' at they will soon be called upon to fight their last battle with an enemy who is ever victorious. Many of them are in indigent circumstances, and unable to support themselves. Their gallant defence of the country, in a war second only to the American revolution, should entitle them, not only to the sympathy of Congress, but to the whole American people. I would, therefore, respectfully recommend that you pass a memorial to Congress, setting forth the justice of their claim, and urging, without regard to their term of service, that each be allowed a quarter section of land, and a pension for the few remaining years allotted them to live.

At the last session of the General Assembly a recommendation was made, that such laws be passed as would authorize the appointment of a Commissioner of emigration to reside in the city of New York, whose duty it should be to give immigrants the necessary information as to soil, climate and the branches of business to be pursued with advantage in this State, and to protect, as far as possible, such persons against the impositions frequently practiced upon them.

This reccommendation, however, was not carried out, and I again feel constrained to call your attention to the subject with the hope that one or more of such agencies may be established, which in my judgment, if properly conducted, would be highly beneficial to the State, and to those who might feel disposed to become citizens among us.

One of the objections which has been urged against the establishment of such agencies, is, that emigration of

foreigners to this country ought not to be encouraged or protected—even secret political associations have been formed for the purpose of discouraging emigration and settlement among us—to prohibit, as far as may be in their power, a naturalized citizen from holding any office of trust or profit under our government, and at the same time proscribing others for their religious views and opinions.

The formation of such associations under a government which professes to be republican, and to secure equal rights and privileges to every person who is, or who may become a citizen by virtue of our Constitution and laws, is much to be regretted as leading to evil and dangerous consequences.

What danger can be seriously apprehended from foreign emigration to this State? They are generally industrious—purchase, settle upon and improve our lands, rear their homes, educate their children with ours, become attached to our laws and institutions, and assist in the defence of the country in times of peril To proscribe a citizen in this country on account of his birthplace or religious faith, is subversive of all our ideas and principles of civil and religious liberty, and contrary to the spirit and intention of our Constitution and laws. The national government have *no power* to "make laws respecting an establishment of religion, or prohibiting the free exercise thereof," and the Constitution of this State declares that "No religious test shall be required as a qualification for any office or public trust, and no person shall be deprived of any of his rights, privileges or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion."

To my mind it is manifest, that the object of these provisions were to *guard* against proscription or intolerance, either by legislation or by individuals, and to leave to every one the right of judging for himself upon questions which relate to eternity, and over which human governments cannot properly exercise control.

In connection with the subject of immigration and settlement

in Iowa, it may be observed, that her agricultural and mineral resources are but partially known, and it is believed that an accurate and scientific geological survey would disclose sources of mineral wealth, and the capacity of our soil for the production of many profitable articles, the benefits of which information to the history of the State and to the people, would far surpass any expense attending such an examination. I would therefore recommend this measure to your favorable consideration.

I again invite your attention to the laws regulating the sale of intoxicating liquors, and to the recommendation made by me to the last General Assembly, of granting licenses under proper restrictions, for the sale thereof. Believing that such a law would have a salutary effect in restraining the indiscriminate sale of such liquors, and would be the means of producing a revenue to cities, towns, and counties, which is now lost to them, and that good order might be maintained and the laws enforced, I am therefore induced to present the subject for your candid consideration.

I am aware that there are many persons who take a different view of this question, who insist with great pertinacity that laws should be enacted prohibiting the manufacture and sale of any spirituous, vinous, or malt liquors, under severe penalties with a right to search in houses and premises, and a destruction of such property wherever it may be found, and prescribing rules of evidence in such cases unknown in any other criminal prosecutions.

Such laws are not calculated to remedy the evil complained of, and are looked upon as an unnecessary infringement upon the natural and constitutional rights of the citizen. The idea that pervades such enactments is, that unusual, numerous, and severe penalties, will lead to their enforcement; when all experience shows that their undue severity defeats their execution, and that after the excitement which caused their enactment has passed away, no one feels disposed to enforce them.

Although this question has been thrust into the political arena, and made to figure extensively in our elections, yet, as guardians and representatives of constitutional supremacy, and

the rights of citizens under that government, you will carefully examine the subject which has thus been presented, and make such provisions as may seem to you the best calculated to promote the public good.

Your attention is also invited to the act, passed at the last session of the General Assembly, regulating the interest on money, and of which I may say, that since its passage up to the present time, has not been generally regarded or enforced, and that without being of any benefit to the borrower, has resulted in keeping out of the State much capital, which would otherwise have been introduced among us, and which by fair competition would have reduced the rates of interest much below what is now paid. Such laws are always evaded, and upon the principle that men should be permitted to make their own contracts and dispose of their money or property upon such terms and conditions as may seem to them most appropriate. For these and many other reasons which might be urged, I would respectfully recommend the repeal of all laws in this State upon the subject of usury.

As yet no grants of land have been made to the State of Iowa for the construction of railroads, notwithstanding the repeated applications which have been made to Congress for that purpose. I would, therefore, again call your attention to the subject, and recommend that a memorial be passed urging the justice of our claim, and that such application be concentrated upon one road to run from the Mississippi to the Missouri river, through the central portion of the State, as it is believed that such an application might meet with a favorable reception. It is very much doubted whether the policy of applying for a sufficient quantity of land to construct five or six roads in Iowa will soon be favorably considered by Congress. It is, therefore, desirable that some system should be adopted by the people and their representatives to concentrate the application to one or two roads, and urge the same with energy and unanimity.

In this connection permit me to speak of the common roads of our State, and to urge upon you the necessity of again reinstating the law which required the election of a County

Supervisor. That officer had the charge and supervision of all the roads in the county. Then there was uniformity in the opening and work done upon them—now in some townships the roads are kept in order, and in others nothing is done; and the consequence is, that there is no system or regularity upon a subject which is of the greatest importance and interest to every inhabitant of the State.

Of the swamp or overflowed lands granted to this and other States, by an act of Congress, approved September 28th, 1850, it is only necessary for me to say, that at the last session of the General Assembly, it was thought advisable to grant them to the counties in which they might lie, for the purpose of constructing the necessary levees and drains to reclaim them, and the overplus, after paying the expenses of their reclamation, to be applied for the purpose of building roads and bridges in such counties.

Under this act returns of the examination and survey of such lands have been made to the Surveyor General of Iowa and Wisconsin from counties, the names of which are herewith transmitted.

As it is desirable that such returns should be made as soon as possible, in order to obtain the title from the General Government to these lands, I would suggest such further legislation as will require, if possible, the delinquent counties to comply with the laws which have been heretofore enacted for their benefit.

Many other subjects of legislation which have not been noticed, will doubtless suggest themselves to your consideration, and receive that attention which their importance may require.

In concluding this communication to the General Assembly of Iowa, I may be permitted to refer to the policy of government, under which we have increased in population and wealth unsurpassed in the history and settlement of western States, and it must be conceded, that for the high position which we now occupy, as a sovereign State of the American Republic, that we are principally indebted to the constitution and laws for that prosperity.

Of the Constitution of this State, it may with justice be said, that it is republican in its character, and designed to protect the people against abuses and evils which have crept into the government of other and older States. It prohibits any association or corporation from exercising the privilege of creating paper to circulate as money; it declares that corporations shall not be established by special laws, except for political or municipal purposes; and for all others, that general laws shall be passed for their organization, reserving to every one the privilege of forming companies for the transaction of all lawful business, and limiting State indebtedness in such a manner as to prevent great loss or repudiation. These restrictions, it is believed, have done much to build up this State, and to assure citizens that they are not to be oppressed by monopolies, bankruptcy, or extraordinary taxation.

In my last message to the General Assembly, I felt it to be my duty to caution the people against the system of banking which was then contemplated, and carried on in the United States, as being dangerous to the agricultural and manufacturing interests of the country, and urged the propriety of passing a law prohibiting the circulation of bank notes of a less denomination than ten dollars, for the purpose of retaining a sufficient sum of gold and silver to do the ordinary business of our citizens, and to which recommendation I would again invite your favorable consideration. But two years have elapsed since that time, and we find ourselves in the midst of a monetary crisis. In our public journals will be found long lists of suspended and broken banks. Who are generally the sufferers? Not those whose business it is to deal in money and bank paper, and who wield the lightnings of heaven to tell them of danger or disasters, but others whose very existence depends upon their labor, and who can ill afford to pay the luxury and expense of banking corporations.

Yet with all the evidences which we have before us of the pestilential effects of paper money on the necessary confidence between man and man, the necessary confidence in our public councils, on the industry and morals of the people, the enormous frauds which have been practiced and the loss

suffered by the toiling millions, we are told that it is necessary to establish a banking system in Iowa. Such a system might be a fitful stimulant to our hopes and business pursuits, and impart more than ordinary vigor to the current traffic during a season of prosperous credit; still, it is always treacherous, and fraught with too many uncertainties upon which to risk the agricultural and most important interests of the country, and which are liable to be swept away by the very first blast of adversity. Viewing all the expedients resorted to, to conceal and mitigate the errors of modern banking, it will be found that the system of employing public stocks and securities is the most exceptionable, as it is making one promise, which it may be impossible to redeem, the foundation of another equally desperate.

The opinions which I have taken occasion to express in my previous communications to the General Assembly, upon the subject of banking, of State indebtedness, and of exclusive privileges and special legislation, remain unchanged. Nor can I perceive in the altered condition of our business relations, or the positive wants of community, any imperative reason why our Constitution should be amended to authorize their introduction into Iowa.

In retiring from the office to which I was elected by the free suffrages of the people of Iowa, I cannot refrain from expressing to them, and to you as their representatives, my profound gratitude for the honors conferred upon me by their confidence, and to assure them of my continued aspirations for their welfare and prosperity, and the advancement of this young and flourishing commonwealth, and the fervent hope that her legislation and future policy will be such as to insure to her citizens the full enjoyment of civil and religious liberty—that she will discountenance civil discord and local animosities among the States of our Union, and concede to each and all, the rights which pertain to them under our national Constitution and laws, and that she will in every emergency defend that Union which has led our republic to honor and greatness.

With these hopes and wishes for the welfare of Iowa and our common country, I retire from the office with which I have been honored.

STEPHEN HEMPSTEAD.

Iowa City, December 9th, 1854.

INAUGURAL MESSAGE

OF

JAMES W. GRIMES,

GOVERNOR OF IOWA.

Delivered December 9th, 1854.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
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GENTLEMEN OF THE SENATE,
AND HOUSE OF REPRESENTATIVES:

Having now, in your presence, assumed the duties of the office to which I have been elevated by the suffrages of my fellow-citizens, it becomes my duty, under the Constitution, to call your attention to such subjects as I believe demand your consideration.

No one, however connected with legislation, can too highly estimate the responsibilities of his position. He cannot feel too deeply the delicacy of his labors, and his ignorance of the complicated structure and conflicting interests of society, over which he is called to exercise control. To legislate is the noblest employment in which he can be engaged, and the most difficult of satisfactory execution.

It is so everywhere, but it is peculiarly so in a new and growing State, where the population is drawn from all parts of the civilized globe, where the public policy and public institutions are just being established, and where different portions of the State are in different conditions of progress and development. It is a difficult task to protect and advance the pioneer interests of our western settlements, and also encourage, and establish on a substantial basis, the commercial and manufacturing interests of the old counties, by general laws, that shall operate equally and beneficently upon all. It is not an easy matter to lay strong and deep the foundations of the educational institutions of a new State, and to rear thereon superstructures, that shall honor the State and bless mankind. The duty of restoring reason to those who are bereft of it, of giving sight to the blind and hearing to the

deaf, by the establishment and proper endowment of charitable institutions; of repressing evil; of punishing crime; of stimulating industry; of protecting public virtue, and of maintaining the integrity of the State sovereignty, cannot be exercised without incurring grave responsibilities.

Government is established for the protection of the governed. But that protection does not consist merely in the enforcement of laws against injury to the person and property. Men do not make a voluntary abnegation of their natural rights, simply that those rights may be protected by the body politic. It reaches more vital interests than those of property. Its greatest object is to elevate and ennoble the citizen. It would fall far short of its design if it did not disseminate intelligence, and build up the moral energies of the people. It is organized "to establish justice, promote the public welfare and secure the blessings of liberty." It is designed to foster the instincts of truth, justice and philanthropy, that are implanted in our very natures, and from which all constitutions and all laws derive their validity and value. It should afford moral as well as physical protection, by educating the rising generation; by encouraging industry and sobriety; by steadfastly adhering to the right, and by being ever true to the instincts of freedom and humanity.

To accomplish these high aims of government, the first requisite is ample provision for the education of the youth of the State. The common-school fund of the State should be scrupulously preserved, and a more efficient system of common schools than we now have should be adopted. The State should see to it that the elements of education, like the elements of universal nature, are above, around, and beneath all.

It is agreed that the safety and perpetuity of our republican institutions depends upon the diffusion of intelligence among the masses of the people. The statistics of the penitentiaries and alms-houses throughout the country, abundantly show, that education is the best preventive of pauperism and

crime. They show, also, that the prevention of these evils is much less expensive than the punishment of the one, and the relief of the other. Education, too, is the great equalizer of human conditions. It places the poor on an equality with the rich. It subjects the appetites and passions of the rich to the restraints of reason and conscience, and thus prepares each for a career of usefulness and honor. Every consideration, therefore, of duty and policy, impels us to sustain the common schools of the State in the highest possible efficiency.

I am convinced that the public schools should be supported by taxation of property, and that the present *rate* system should be abolished. Under the present system of a *per capita* tax upon the scholars, the children of the poor are in a measure excluded from the benefit of the schools, whilst the children of the opulent are withdrawn from them to be educated in private institutions. Property is the only legitimate subject of taxation. It has its duties, as well as its rights. It needs the conservative influences of education, and should be made to pay for its own protection.

I suggest the propriety of establishing in each school district in the State, a district school library. I believe that an act appropriating to each district a small sum of money for this purpose, provided the district would appropriate an equal amount, would be received by the people with the highest satisfaction. It would establish in each district complying with the provisions of the act, a *nucleus*, around which in a few years would be gathered respectable libraries that would be accessible to all. These libraries would be great aids in the diffusion of general intelligence.

I am not informed of the amount or condition of the University fund of the State. It is known, however, that a munificent grant of land was made by Congress for the establishment of a seminary of learning; that a large part of those lands has been sold, and that the proceeds have never been applied to any specific use, except the sum of five thousand

dollars heretofore granted to the Medical School at Keokuk. I think the time has come when steps should be taken to carry out the design of Congress in making the grant. If the State can ever establish an institution of learning, it can be done under as favorable auspices now, as at any future time. I do not believe it to be sound policy, to establish a literary institution that shall come into rivalry with the various denominational colleges, now struggling into existence. Those institutions should be encouraged, and not depressed. They can and will educate the young men who wish to enter the professions of law, physic and divinity. But the State has a greater want, than of lawyers and doctors. She wants educated farmers and mechanics, engineers, architects, chemists, metallurgists and geologists. She needs men engaged in the practical duties of life, who have conquered their professions, and who are able to impart their knowledge to others. She wants farmers who shall be familiar with the principles of chemistry, as applied to agriculture; architects and mechanics, who will adorn her with edifices worthy of so fair a land; and engineers and geologists who will develop her resources, and thus augment the wealth and happiness of her citizens. This want can only be supplied by the establishment of a school of applied sciences. I have no hesitation, therefore, in recommending that the University fund be appropriated to establish a practical scientific or polytechnic school.

The State and County agricultural societies are doing much to improve agriculture and the industrial arts, and deserve encouragement from the government.

The General Assembly cannot be too urgently called on to take immediate steps to establish State charitable institutions. According to the most reliable information, there are now more than one hundred pauper insane persons in the State. One half of these are confined in the common jails, and are thus placed beyond even a reasonable expectation of recovery; the other moiety are roaming at large, a terror to their friends and

neighbors, and by exposure to exciting causes rendering their disease hopelessly incurable. Every dictate of humanity—every principle of sound public policy—demands, that the State should make immediate provision for the care and treatment of this unfortunate class of our fellow citizens.

There can be no question of a desire on the part of the people of the State, that their constitution should be amended. It is needless at this time to allude to the arguments that may be urged in favor of a change in that instrument. The amendments can only be made by a constitutional convention. The only question now presented is, shall the people have the privilege of determining for themselves, at the ballot box, whether they want revision and amendment at all? Not a single valid argument can be urged against this proposition. A submission of the question of revision to the people can be attended with no expense, for, according to the Constitution, it must be done at a general election. If the decision, therefore, is against revision, the State will sustain no injury; if in favor of it, the genuine doctrine of popular sovereignty will be vindicated.

There is a strong public sentiment in favor of a radical change of the present laws regulating the manufacture and sale of intoxicating liquors. Every friend of humanity earnestly desires that something may be done to dry up the streams of bitterness that this traffic now pours over the land. I have no doubt that a prohibitory law may be enacted, that will avoid all constitutional objections, and meet the approval of a vast majority of the people of the State.

The public mind has been, and is now, greatly excited on the subject of slavery in the territories of the United States. At the last session of Congress, that solemn compact, known as the Missouri Compromise, which had existed more than thirty years without any attempt to disturb it—which was passed at the instance of the South—and which the people of the whole country have been taught by the great expounders of the Constitution, to regard as inviolable as the most sacred

provisions of that instrument itself,—was repealed. By that compromise, all that portion of the original territory of Louisiana that lay north of the parallel of 36 degrees 30 minutes, was forever dedicated to freedom. By its repeal it is attempted to subject that vast domain to the withering influences of African slavery.

This only compromise that favored freedom was ruthlessly violated by the very men who were most clamorous for the maintenance of every compromise that favored slavery. It was done in defiance of the remonstrances of the people, and by a palpable violation of parliamentary rules. The motive with which it was done is apparent. Whilst its few supporters in the North attempt to justify the act, and shield the perpetrators from reproach, by appealing to the doctrine of *popular sovereignty*, its principal supporters in the South utterly repudiate that doctrine, and openly avow that they will never submit to it. The primary motive was to extend the area of slave territory, and thus give a political supremacy to the slave-holding states, by virtue of representation of slave property.

The federal government was established "to secure the blessings of liberty," and not to perpetuate and extend human bondage. Its founders intended to confine slavery to its then existing limits. It was with this settled conviction of the policy of the government, and with the universal opinion, moreover, that new territory could not be acquired by purchase, that the several States consented to that provision of the Constitution, which allows three-fifths of the slave population of the country to be enumerated, as the basis of representation in the electoral colleges, and in the House of Representatives. But, without any change of the Constitution, the whole policy of the government seems to be changed on this subject. Vast territories have been acquired. Five new slave states have been admitted into the Union from territory purchased with the common treasure of the country. The number

of slaves has increased from 697,897 in 1790, to 3,204,313 in 1850, now represented by twenty-one votes in the electoral colleges and in Congress.

I trust that there is no citizen of Iowa, who desires the general government to interfere with slavery in the States of this Union. It is a local institution, and to the States that maintain it, belong its responsibilities and its perils. But whilst the people of the North should scrupulously regard the rights of others, they should manfully maintain their own. They are recreant to their own interests; they betray the rights of their posterity; they give a fatal blow to the principles of free and equal government, when they consent to the creation of new slave States and a consequent further representation of slave property.

The removal of that great landmark of freedom, the Missouri Compromise line—when it had been sacredly observed until slavery had acquired every inch of soil south of it, has presented the aggressive character of that system broadly before the country. It has shown that all compromises with slavery, that are designed to favor freedom, are mere ropes of sand, to be broken by the first wave of passion or interest that may roll from the South. It has forced upon the country an issue between free labor, political equality and manhood on the one hand; and on the other, slave labor, political degradation and wrong. It becomes the people of the free States to meet that issue resolutely, calmly, and with a sense of the momentous consequences that will flow from its decision. To every elector, in view of that issue, might appropriately be applied the injunction anciently addressed to the Jewish King: "Be strong, and shew thyself a man."

It is both the interest and duty of the free States to prevent the increase and extension of the slave element of power, by every constitutional means. To do so successfully, they must adhere to the principles of the founders of the Republic. In the view of those principles, slavery is a local institution, de-

pending wholly on State laws for its existence and continuance. Freedom being the natural condition of all men; and no authority being delegated to the general government to establish or protect slavery, Congress can pass no law establishing or protecting it in the territories. If congress can pass no such law, much less can it delegate such authority to the territorial legislatures, over whose acts it has ever exercised a supervisory and restraining power. By a wide departure from constitutional principles, slavery has been tolerated in some of the territories. Let such toleration forever cease. Let the government be brought back to its original purity. Let the principle be authoritatively announced and persistently adhered to, that there can be no slavery outside of State sovereignties. Let the government, in all its relations, be divorced from the system, and the agitation of this subject will cease, the conscience of the North will be quieted, and the rights of the people of the South fully sustained. It is only by an entire disconnection of the general government from the institution of slavery, that the people of the free States can find safety and honor. In no other way can they maintain their political equality, and stand acquitted before the bar of an enlightened public sentiment.

It becomes the State of Iowa,—the only free child of the Missouri Compromise—to let the world know that she values the blessings that compromise has secured to her, and that she will never consent to become a party to the nationalization of slavery.

I desire to co-operate with the General Assembly in every measure that may tend to promote the prosperity of the State.

I trust that our mutual counsels will be characterized by calmness and prudence; and I devoutly pray, that in our respective spheres, we may be guided by "that wisdom which is from above."

SPECIAL MESSAGE

OF THE

GOVERNOR OF IOWA

TO THE

General Assembly;

COMMUNICATING INFORMATION
IN RELATION TO THE DEAF, DUMB, BLIND AND
INSANE IN SAID STATE,

IN REPLY TO A JOINT RESOLUTION CALLING FOR THE SAME.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRI.
1854.

Special Message.

EXECUTIVE CHAMBER,
DECEMBER 22, 1854.

GENTLEMEN OF THE SENATE—

I regret that it is impossible for me to give a satisfactory reply to your resolution of the 19th instant, calling upon me for information in relation to the deaf, dumb, blind and insane, in this State. The information at my command, in regard to their "number and condition," is very limited, and not of the most reliable character. From the census returns, however, of 1850, and from other data, a calculation may be made that will probably approximate the true "number." The "condition of a large majority of them is unknown.

The returns of the State census, for 1854, show but twenty eight deaf and dumb; forty seven insane, twenty seven blind, and no idiots in the State. Many of the counties are not reported at at all, and others are only partially reported. The county of Lee, for instance, is reported as containing no insane persons, whilst, according to the letter of Judge Johnstone, (hereto appended) there were at the very time the census was taken, eight lunatics kept at the county charge, four of whom were confined in the common jail. According to his letter there are not less than sixteen lunatics in the county of Lee alone. Mr. Bacon, Superintendent of the Blind Asylum, is satisfied that there have been as great errors in the enumeration of the blind. He is of the opinion, that there are not less

than two hundred blind persons in the State, of all ages, and accompanying this, is a list of such as are personally known to him.

There are unquestionably as great errors in the enumeration of the deaf and dumb.

About two years ago, Professor McGugin, of Keokuk, whose efforts to ameliorate the condition of the insane of our State, deserve the commendation of every humane and christian man, attempted to ascertain their true number. To this end, in conjunction with Judges Lowe and Johnstone, he addressed circulars to every county in the State, containing inquiries as to the age, sex, &c., of each lunatic. Replies were received from only twelve counties, and from none of the most populous in the State. It appeared, from the returns made to him, that in the counties of Muscatine, Boone, Mahaska, Louisa, Scott, Davis, Marion, Dallas, Fayette, Henry, Iowa and Clinton, there were thirty seven of these unfortunate persons, or within ten of the number, reported as within the entire State, in 1854.

Another evidence of the incorrectness of the returns, for 1854, is the fact that the number of insane persons does not correspond with the usual proportion of that class, to the general population of the United States. The returns show but one lunatic in 6,880 of our population, whilst the census of 1850, shows that in the population of 23,191,673, there were 15,763, insane, or one in 1,470 of the inhabitants.

According to the national census of 1850, there were then domiciled, within the State, fifty nine deaf and dumb persons, fifty blind, forty two insane, and ninety four idiots.

The idiotic and the insane, were doubtless, in many instances, classed together. Indeed it is frequently very difficult to draw the line of distinction between those whose mental powers are naturally beclouded, and those who have been bereft of their reason by extraneous and accidental causes. The total population of the State, in 1850, was 192,214. The population

in May last, exceeded 326,000. Since then there has been a large increase. But taking 330,000, as the present aggregate population of the State, and admitting that these unfortunate classes of persons have increased in proportion to the general population, there must now be one hundred and thirty deaf and dumb, one hundred and twelve blind persons, ninety five lunatics, and two hundred and eleven idiots. Allowing that one half of the idiots should properly be classed with the insane, and we would then have two hundred and one insane persons in the State, or one in 1622, of our population, which is about the proportion in other western States. This number, also, corresponds very nearly with the proportion in the State of Indiana, where it is one in 1,707, and is supported by information derived from intelligent citizens residing in different portions of our State.

These lunatics are in various conditions, of disease and treatment, but a large majority of them are wholly uncared for, or else confined in loathsome jails, in company with felons and outlaws. Professor McGugin, giving an account of his investigations into their condition, in a letter to me, of the 14th inst., says, he found many "confined in jails, and there incarcerated in felon's cells, not for any crimes they had perpetrated, but because they were unfortunate enough to have lost their reason and the power of self control. Some of these unfortunates were among the most respectable, moral and intelligent of our citizens; nay, more, it is well known that some of those now in confinement, in our county jails, are accomplished and intelligent ladies. Others are confined in small tenements, or small apartments, poorly warmed or ventilated, here kept confined and secluded, while that terrible malady was being visited upon them without a hope of recovery."

In regard to the erection of buildings, I have but few suggestions to make. I am an advocate for economy. But I conceive, that it would be the poorest possible economy to erect

any other than the most substantial buildings. Unlike the deaf, dumb and blind, insane persons cannot be kept in ordinary buildings. Structures must be erected for their special use and treatment.

I think it would be wise to appoint Commissioners of intelligence and character, with authority to visit asylums for the insane in other States, to obtain plans for proper buildings, and to lay these plans before the Superintendents of those asylums, for such suggestions as their experience may dictate. Improvements are being constantly made in the construction, ventilation and heating of such structures, and the State should avail herself of all such improvements.

It should be borne in mind, that it will be but a few years before a second asylum for the insane, will be required. This unfortunate class will increase with the population of the State. Massachusetts, with a population of 994,514, has 1,661 insane, or one in 604, of her population. She has three asylums filled to overflowing.

Vermont, with 314,120 souls, not as many as there are now in the State of Iowa, has five hundred and sixty insane, or one in 569, of her population. Ohio is now erecting two new asylums, one in the northern and another in the southern part of the State. Our State asylum, therefore, should be located with a view to the future increase of the number.

Four years ago, the General Assembly devoted the Saline lands of the State, to the establishment of an insane asylum. I have sought to ascertain the amount of money received from the portion of the lands sold, and the amount and condition of the lands yet unsold. I learn from the Treasurer of State, that the amount of this fund paid into his hands is $14,855 60, of which he has paid under an act of the General Assembly, to the Medical School, at Keokuk, $5,000, leaving now in the Treasury $9,855 60.

I find that no officer of the State is entrusted with the man-

agement and charge of the Saline lands. No one knows the amount sold and unsold; the amount yet secured to the State, nor the amount claimed by the State. I suggest that these lands be committed to the control of some State Officer.

JAMES W. GRIMES.

REPLY OF JUDGE JOHNSTONE.

To Governor GRIMES—

DEAR SIR:

I hasten to reply to your inquiries respecting the number, &c., of the insane in Lee county.

There are, at present, eight of these unfortunate persons kept at the public charge. Four of them have been confined, during the past season, and still are, in the county jail, and four remain at the county farm. You are aware that sec. 862, chap. 50 of the code of Iowa, requires, that such persons, when dangerous, &c. shall be confined in jail, a most improper place, in my judgment. Such confinement is calculated generally to increase, rather than to alleviate their malady.

There are, in our county, about eight or ten more insane persons, in addition to those above mentioned, kept and provided for by their friends. From the information I have on the subject, I believe many of the insane of Lee county might be restored to reason, if placed under proper treatment.

About a year ago, Dr. McGugin, Judge Lowe, and myself, addressed a circular letter to the several judges, and other officers, throughout the State, requesting information in regard to the number, condition, &c., of the insane in their several counties. The replies were directed to be addressed to Dr. McGugin, of Keokuk, from whom much intelligence on the subject might be obtained. I can only say now, that I am inclined to believe, from the information thus received, and otherwise, that there are from one to two hundred insane persons in the State.

Hoping that the Legislative Assembly, now in session, may not adjourn until ample provision has been made for this unfortunate class of our fellow beings.

I remain very respectfully yours,

EDWARD JOHNSTONE,

Judge of Lee county, Iowa.

Iowa City, Iowa, Dec. 19, 1854.

List of blind persons in the State known to the Superintendent of the Blind Asylum.

Lee,	19
Van Buren,	4
Davis,	4
Page,	1
Desmoines,	9
Henry,	1
Jefferson,	3
Wapello,	1
Monroe,	2
Louisa,	3
Washington,	1
Keokuk,	4
Marion,	1
Muscatine,	2
Scott,	1
Clinton,	4
Cedar,	2
Johnson,	6
Iowa,	2
Jackson,	3
Jones,	2
Linn,	9
Marshall,	1
Dubuque,	2
Clayton,	1
Poweshiek,	1
	89

SECRETARY'S REPLY.

SECRETARY'S OFFICE, IOWA,
Iowa City, December 21, 1854.

His Excellency, GOV. GRIMES—

Sir: In compliance with your request, I herewith furnish you a statement of sales of the Saline lands belonging to this State, so far as the same have been reported to this office, by the School Fund Commissioners of the counties in which the Saline lands lie, which reports were made to me at my request, as I have no control whatever, over the actions of those Commissioners, in the disposition or sale of these lands, or the payment of the proceeds thereof into the State Treasury, nor to require reports of sales to be made; but on your suggestion I wrote to the School Fund Commissioners, for the information contained in the enclosed statement.

Very respectfully,
GEORGE W. McCLEARY,
Secretary of State.

Statement of sales of Saline Lands, belonging to the State of Iowa.

Counties.	No. of acres of lands sold	Cash received for lands sold.	Amount of credits on sales of lands
Appanoose,	2,940	$2,922 50	$752 50
Lucas,	6,640 58-100	2,125 25	6,176 72
Van Buren,	640	469 00	1,167 00
Wayne,	1,748 82-100	748 68	1,436 53
	11,969 62 100	$6,265 43	$9,532 75

RULES

OF THE

SENATE OF IOWA;

AND

Standing Committees.

SESSION OF 1854–'55.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.



Rules of the Senate.

ORDER OF DAILY BUSINESS.

After the Journal is read, the following order shall govern:

1. Petitions or memorials to be offered.
2. Resolutions.
3. Reports of Committees.
4. Communications on the President's table.
5. Reports in possession of the Senate which offer grounds for a bill.
6. Bills or other matters before the Senate, unfinished the preceding day.
7. The general file of bills, and other papers agreeably to their introduction into the Senate.

STANDING RULES.

1. The President shall take the Chair at the hour to which the Senate is adjourned, and call the members to order; and if a quorum be present, he shall direct the journals of the preceding day to be read, and mistakes, if any, corrected. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate.

2. One fourth of the members may have a call of the Senate, and absent members sent for.

3. Questions shall be distinctly put in this form, viz: "As many as are of opinion that (as the question may be) say aye." And after the affirmative voice is expressed, "As many as are of the contrary opinion say no." If the President doubt, or a division be called for, the Senate shall divide—those in the

affirmative of the question shall first rise from their seats, and afterwards those in the negative.

4. All motions (except to adjourn postpone or commit) shall be reduced to writing, if required by any member of the Senate. Any motion may be withdrawn before it is amended by the Senate.

5. Every member present when a vote is put, shall vote, unless he shall, for special cause be excused by a vote of the Senate; but no member shall vote on any question in the event of which he is directly and personally interested, or in any case where he was not present when the question was put.

6. When a member is about to speak in debate, or deliver any matter to the Senate, he shall arise from his seat, and respectfully address himself to Mr. President, and shall confine himself to the question under debate, avoid personalities, and the imputation of improper motives.

7. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a certain day, to commit, or to postpone indefinitely, being decided, shall be again allowed, on the same day and at the same stage of the bill or proposition.

8. The previous question shall be in this form, "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effects shall be to put an end to all debate, and bring the Senate to a direct vote upon amendments, reported by a committee, if any; then upon pending amendments, and then upon the main question.

9. A motion to adjourn, to lay on the table, and for the previous question, shall be decided without debate; and all incidental questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

10. Any member may call for the division of a question, which shall be divided, if it comprehend propositions in substance so distinct, that one being taken away a substantive proposition shall remain for the decision of the Senate. A motion

to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment, nor a motion to strike out and insert.

11. Every bill shall be introduced on the report of a committee, or by motion for leave, on giving at least one day's previous notice. Every bill shall receive three several readings previous to its passage; but no bill shall have its second and third readings on the same day, without a suspension of this rule.

12. The first reading of a bill shall be for information, and if objections be made to it, the question shall be "Shall the bill be rejected?" If no objections be made, or the question to reject be lost, the bill shall go to its second reading without further question.

13. Upon the second reading of a bill or resolution, the President shall state it as ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee, or a committee of the whole. If to a committee of the whole, the Senate shall determine on what day. But if the bill be ordered to be engrossed, the Senate shall appoint a day when it shall be read the third time. No bill or resolution, requiring the concurrence of both houses, shall be committed or amended, until it shall have been twice read.

14. When a question is lost on engrossing a bill for a third reading on a particular day, it shall not preclude a question to engross it for a third reading on a different day. On a third reading of a bill or resolution, no amendment (except to fill a blank) shall be received, except by unanimous consent of the members present.

15. A bill or resolution may be committed at any time previous to its passage.

16. In filling blanks, the largest sum and longest time shall be the first put.

17. When a motion or question has been decided in the affirmative or negative, any member having voted with the majority may move a reconsideration the same or a succeeding day.

18. Before acting on executive business, the Senate Chamber shall be cleared, by direction of the President, of all persons except members, the Secretary and Sergeant-at-Arms; the

members enjoined to observe secrecy, and the Secretary and Sergeant-at-Arms to be sworn.

19. No standing rule or order of the Senate shall be rescinded or suspended, except by a vote of three fourths of the members present.

20. The rules of parliamentary practice comprised in Jefferson's Manual, shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Senate, and the joint rules of the Senate and House of Representatives.

Standing Committees

WAYS AND MEANS.

Messrs. Shields, Hillis, Preston, Coolbaugh, and Sanders.

JUDICIARY.

Messrs. Love, Browning, Preston, Hamilton and Test.

FEDERAL RELATIONS.

Messrs. Udell, McAchran, Coop, Wilkinson and Love.

INTERNAL IMPROVEMENTS.

Messrs. Coolbaugh, Park, Thurston, Matthews and Shields.

MILITARY AFFAIRS.

Messrs. Ramsay, Needham, Birge, Fulton and Cleaver.

SCHOOLS.

Messrs. Preston, Browning, Clark, Anderson and Udell.

ROADS.

Messrs. Lucas, Park, McCulloch, Fulton and Hogan.

ELECTIONS.

Messrs. Test Needham, Udell, Sanders and Ramsay.

ENROLLED BILLS.

Messrs. Matthews and Thurston.

ENGROSSED BILLS.

Messrs. Schramm and Workman.

AGRICULTURE.

Messrs. Coop, McCrory, Bryan, Hillis and McCulloch.

COUNTY BOUNDARIES.

Messrs. Thurston, Hogan, Bryan, Wilkinson and Matthews.

INCORPORATIONS.

Messrs. Birge, Sanders, Clark, Anderson and McCulloch.

NEW COUNTIES.

Messrs. Workman, Fulton, Lucas, Schramm and Cleaver.

CLAIMS.

Messrs. McAchran, Shields, Schramm, Birge and Ramsay.

PUBLIC BUILDINGS.

Messrs. Needham, Thurston, Cleaver, Coolbaugh and Test.

PUBLIC LANDS.

Messrs. Hamilton, Lucas, Park, Coop and Workman.

CHARITABLE INSTITUTIONS.

Messrs. Browning, Love, Bryan, McCrory and Hamilton.

STATE LIBRARY.

Messrs. Clark, McAchran, Love, Hogan and McCrory.

RULES OF THE SENATE

WITH THE

JOINT RULES OF THE LEGISLATIVE ASSEMBLY

RULES OF THE SENATE.

ORDER OF DAILY BUSINESS.

After the journal is read, the following order shall govern:

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3rd—Reports of Committees.

4th—Communications on the President's table.

5th—Reports in possession of the Senate which offer grounds for bill.

6th—Bills or other matters before the Senate and unfinished the preceding day.

7th—The general file of bills, and other papers agreeably to the introduction into the Senate.

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2. One fourth of the members may have a call of the Senate, and absent members sent for.

3. Questions shall be distinctly put in this form, viz: "As many as are of opinion that (as the question may be) say aye." And after the affirmative voice is expressed, "as many as are of the contrary opinion, say no." If the President doubt, or a division be called for, the Senate shall divide—those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

4. All motions (except to adjourn, postpone or commit) shall be reduced to writing, if required by any member of the Senate. An motion may be withdrawn before it is amended by the Senate.

5. Every member present when a question is put shall vote unless shall, for special cause, be excused by a vote of the Senate; but no mber shall vote on any question in the event of which he is directly d personally interested, or in any case where he was not present ıen the question was put.

6. When a member is about to speak in debate, or deliver any mat- to the Senate, he shall arise from his seat, and respectfully address nself to Mr. President, and shall confine himself to the question der debate, avoid personalities, and the imputation of improper ɔtives.

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8. The previous question shall be in this form, "Shall the main estion be now put." It shall only be admitted when demanded by najority of the members present, and its effects shall be to put an d to all debate, and bring the Senate to a direct vote upon amend- ɛnts reported by a committee, if any, then upon pending amend- ɛnts, and then upon the main question.

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11. Every bill shall be introduced on the report of a committee, or motion for leave, on giving at least one day's previous notice.— very bill shall receive three several readings previous to its passage;

but no bill shall have its second and third readings on the same d without a suspension of this rule.

12. The first reading of a bill shall be for information, and if ob tions be made to it, the question shall be "Shall the bill be rejecte if no objections be made, or the question to reject be lost, the shall go to its second reading without further question.

13. Upon the second reading of a bill or resolution the Presid shall state it as ready for commitment or engrossment, and if c mitted then the question shall be, whether to a select or stand committee, or a committee of the whole. If to a committee of whole, the Senate shall determine on what day. But if the bill ordered to be engrossed the Senate shall appoint the day whe shall be read the third time. No bill or resolution requiring the c currence of both houses shall be committed or amended unti shall have been twice read.

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19. No standing rule or order of the Senate shall be rescinde suspended, except by a vote of three-fourths of the members pres

20. The rules of parliamentary practice comprised in Jeffers Manual, shall govern the Senate in all cases to which they are ap cable, and in which they are not inconsistent with the standing r and orders of the Senate, and the joint rules of the Senate and Ho of Representatives.

JOINT RULES.

In every case of an amendment of a bill, agreed to in one House dissented from in the other, if either House shall request a con- ice, and appoint a committee for that purpose, and the other se shall also appoint a committee to confer, such committee shall convenient hour, to be agreed upon by their chairman, meet and to each other, verbally or in writing, as either shall choose, the ons of their respective Houses for and against the amendment, confer freely thereon.

When a message shall be sent from the Senate to the House of esentatives, it shall be announced at the door of the House by loor-keeper, and shall be respectfully communicated to the Chair ie person with whom it may be sent.

The same ceremony shall be observed when a message shall be from the House of Representatives to the Senate.

All messages from one House to the other, shall be sent by the etary of the Senate, Clerk of the House, or their respective as- nts.

After a bill shall have passed both Houses, it shall be duly en- d by the Secretary or Clerk of the House in which it originated, re it shall be presented to the Governor.

When bills are enrolled, they shall be examined by a joint com- ee of two from the Senate and two from the House of Represen- es, appointed as a Standing Committee for that purpose, who l carefully compare the enrollment with the engrossed bills, as ed in the two Houses, and, correcting any errors that may be overed in the enrolled bills, make their report forthwith to the se in which the bill originated.

After examination and report, each bill shall be signed in the ective Houses; first by the Speaker of the House then by the ident of the Senate.

After a bill shall have been thus signed in each House, it shall resented by the said committee to the Governor for his approba-

tion, it being first endorsed on the back of the roll, certifying in w
House the same originated, which endorsement shall be signed by
Secretary of the House in which the same did originate, and sha
entered on the journal of each House; the said committee shall re
the day of presentation to the Governor, which shall also be entere
the journal of each House.

9. All orders, resolutions and votes which are to be presente
the Governor for his approbation, shall also, in the same manne
previously enrolled, examined and signed, and shall be presente
the same manner, and by the same committee, as provided in c
of bills.

10. When a bill or resolution which shall have been passed in
House, is rejected in the other, notice thereof is to be given tc
House in which the same may have passed.

11. When a bill or resolution which has been passed in one Hc
is rejected in the other, it shall not be brought in during the s
session without notice of five days, and leave of two-thirds of
House in which it shall be renewed.

12. Each House shall transmit to the other all papers on w
any bill or resolution may be founded.

13. After each House shall have adhered to their disagreemei
bill or resolution is lost.

14. When bills which may have passed one House, are ordere
be printed in the other, a greater number of copies shall not be pri
than be necessary for the use of the house making the order.

15. All messages, reports, or other documents presented to ei
House, for general information, and ordered to be printed by
House, shall, when printed, be for the use of both Houses.

16. It shall be the duty of the Chief Clerk of the House or the
retary of the Senate, when any such document is ordered to be pri
in their respective Houses, forthwith to communicate such orde
the other, so that the same order may not be made in both House

17. In all elections in joint convention of both branches of
General Assembly, the names of the members of both branches s
be arranged together in alphabetical order, and be called upon to
in the order in which they shall stand arranged.

CENSUS OF IOWA.

By Counties,

AS RETURNED TO THE SECRETARY OF STATE,

For the Year 1854.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

HON. M. L. FISHER,

President of the Senate;

SIR: I herewith present for the use of the Senate, a tabular statement of the census of the several counties in this State for the year 1854.

Very respectfully, your obedient servant,
GEO. W. McCLEARY,
Secretary of State.

STATE CENSUS.

No.	Counties.	No of idiots.	Deaf and dumb.	No. of insane.	No of blind.	Number of males	Number of females	[illegible]	[illegible]	No. of voters	[illegible]	No. of aliens	Total.
	Adair,					[illegible]	[illegible]			[illegible]	[illegible]		150
	Adams,					[illegible]	[illegible]			[illegible]	[illegible]	12	339
	Alamakee,		1			[illegible]	2[illegible]			[illegible]	6[illegible]	575	4266
	Appanoose,					[illegible]	[illegible]	6	3	[illegible]	[illegible]	21	6265
	Benton,				1	[illegible]	1174			[illegible]	[illegible]	3	2623
	Blackhawk,					[illegible]	1112			[illegible]	[illegible]	14	2514
	Boone,					[illegible]	[illegible]			[illegible]	[illegible]	13	1678
	Bremer,					[illegible]	[illegible]	5	3	[illegible]	[illegible]	16	1095
	Buchanan,					[illegible]	[illegible]			[illegible]	[illegible]	40	2299
	Cass,					[illegible]	[illegible]			[illegible]	[illegible]		416
	Cedar,					[illegible]	3571	1		[illegible]	1357	97	7643
	Chickasaw,					[illegible]	[illegible]			[illegible]	[illegible]	22	588
	Clarke,					[illegible]	[illegible]			[illegible]	[illegible]		1626
	Clayton,					[illegible]	4441	1	4	[illegible]	651	640	9337
	Clinton,			1		[illegible]	3440	6	9	[illegible]	1050	669	7806
	Dallas,		6	1		[illegible]	[illegible]			[illegible]	[illegible]	3	2392
	Davis,			5	1	[illegible]	[illegible]			[illegible]	[illegible]	8	9787
	[illegible]		1			[illegible]	[illegible]	56	47	[illegible]	[illegible]	220	5042
	Fremont,					1576	1430	4	8	[illegible]	[illegible]	1	3006
	Guthrie,					[illegible]	[illegible]			[illegible]	[illegible]	2	772
	Hardin,					[illegible]	[illegible]			[illegible]	[illegible]	3	1259
	Harrison,					[illegible]	[illegible]			[illegible]	[illegible]	4	1065
	Henry,			6	3	5178	4966	6	9	[illegible]	[illegible]	92	10159
	Iowa,					[illegible]	[illegible]			[illegible]	[illegible]	29	2307
	Jackson,				1	[illegible]	[illegible]	1	5	[illegible]	[illegible]	827	12166
	Jasper,		1	1		[illegible]	[illegible]			[illegible]	[illegible]	7	3466
	Jefferson,		1	3	1	[illegible]	[illegible]		1	[illegible]	[illegible]	111	11117
	Johnson,					[illegible]	[illegible]	10	11	[illegible]	[illegible]	253	8467
	Jones,					[illegible]	[illegible]			[illegible]	[illegible]	261	6075
	Keokuk,				1	[illegible]	[illegible]			[illegible]	[illegible]	50	7299
	Lee,	2	1		4	[illegible]	[illegible]	34	32	[illegible]	[illegible]	1292	22590
	Linn,		1			[illegible]	[illegible]	5	2	[illegible]	[illegible]	85	10802
	Louisa,	2	1			[illegible]	[illegible]	22	20	[illegible]	[illegible]	65	7341
	Lucas,		2	3	1	[illegible]	[illegible]			[illegible]	[illegible]	1	1921
	Madison,					[illegible]	[illegible]			[illegible]	[illegible]	1	3112
	Mahaska,					[illegible]	[illegible]			[illegible]	[illegible]	22	9093
	Monona,		1	3	1	[illegible]	[illegible]			[illegible]	[illegible]	3	222
	Marion,					[illegible]	[illegible]			[illegible]	[illegible]		
	Marshall,		2	5	2	[illegible]	[illegible]	10	6	[illegible]	[illegible]	197	9315
	Mills,					[illegible]	[illegible]			[illegible]	[illegible]		1607
	Monroe,					[illegible]	[illegible]			[illegible]	[illegible]	2	2171
	Montgomery,					[illegible]	[illegible]			[illegible]	[illegible]	7	4577
	Muscatine,					[illegible]	[illegible]			[illegible]	[illegible]		233
	Page,					[illegible]	[illegible]	36	32	[illegible]	[illegible]	528	9555
	Polk,					[illegible]	[illegible]			[illegible]	[illegible]		1148
	Pottawatamie,					[illegible]	[illegible]			[illegible]	[illegible]	20	5368
	Poweshiek,					[illegible]	[illegible]	1		[illegible]	[illegible]	90	3060
	Scott,		1	1		[illegible]	[illegible]			[illegible]	[illegible]		1953
	Shelby,					[illegible]	[illegible]	6	5	[illegible]	[illegible]	1778	12671
	Story,					[illegible]	[illegible]			[illegible]	[illegible]	1	328
	Tama,					[illegible]	[illegible]			[illegible]	[illegible]	3	836
	Taylor,					[illegible]	[illegible]			[illegible]	[illegible]	4	1163
	Van Buren,					[illegible]	[illegible]			[illegible]	[illegible]	2	891
	Union,					[illegible]	[illegible]	4		[illegible]	[illegible]	141	13843
	Wapello,		2	4	3	[illegible]	[illegible]			[illegible]	[illegible]		81
	Warren,					[illegible]	[illegible]	4	2	[illegible]	[illegible]	45	10521
	Washington,					[illegible]	[illegible]	2	1	[illegible]	[illegible]	42	4446
	Wayne,		5	1	2	[illegible]	[illegible]		2	[illegible]	[illegible]	69	7560
	Webster,					[illegible]	[illegible]			[illegible]	[illegible]	4	1665
	Winneshiek,					[illegible]	[illegible]			[illegible]	[illegible]	63	9[illegible]
						[illegible]	[illegible]			[illegible]	[illegible]	474	[illegible]315

REPORT

OF THE

WARDEN

OF

The Iowa Penitentiary.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

WARDEN'S REPORT.

To the Honorable,
the Legislature of the State of Iowa;

GENTLEMEN:

The Warden of the Iowa Penitentiary would most respectfully present the following report of the Institution now under his charge.

On my taking charge of the prison, February 1st, A. D. 1853, there remained in prison eight convicts; twenty-seven others have been received to September 30th, 1854, making the total number, thirty-five.

During which time there has been discharged, as follows, to wit:

By expiration of sentence,	5
" pardon,	7
" order of Court,	2
" escapes,	2
" death,	1
Leaving in confinement, September, 30th, A. D. 1854,	18
Total,	35

Annexed find statements A B and C, showing the number of convicts received, discharged, escaped, &c.; also the number of days, and the manner in which they were employed; the liabilities and assets of the prison.

Since I have taken charge of the prison, there have been but two escapes, Asa Kingsberry and Horace Vanorder. The unfinished condition of the prison renders it very unsafe for the keeping of convicts, although there has been no escapes for more than twelve months; they have been kept

only by the untiring watchfulness of the guards, in whose praise I cannot speak in too high terms for the faithful performance of the duties assigned them. The duties of Deputy Warden are constant and arduous; he is required to be constantly on duty and see that each prisoner is safely locked up in his cell, and that the night guard performs his duty. The present pay of the Deputy Warden is but twenty-five ($25) dollars per month; and in my humble opinion, is not adequate to the services performed. I would, therefore, suggest to your honorable body, the propriety of making an additional allowance for his services.

Under an act of the Legislature, approved January 13th, 1853, the Inspectors and Warden leased or hired to Messrs. J. H. Winterbotham and W. D. Headly, the labor of all the convicts, that is or may be received in the prison for the term of ten years, commencing on the first day of June, A. D. 1854, and ending May 31st, 1864, at thirty cents per day for each laboring hand, for the first year, and thirty-five cents per day for the remaining nine years.

There is now completed in prison thirty cells. Eighteen are now occupied, leaving but twelve empty, which in all probability will be filled the coming winter.

Your honorable body will see the necessity of making an appropriation for building additional cells; eighteen being required to complete the lower tier, the cost of each cell being about two hundred and fifty dollars.

In the contract with Messrs. J. H. Winterbotham and W. D. Headly, we agreed to furnish sufficient shop room for working convicts to advantage, we found it was necessary to put an additional story on the work shops, of 100 by 20 feet. The work has been commenced, and will soon be finished, at a cost of about fifteen hundred dollars, to which I call the attention of your honorable body, and ask an appropriation for the same.

I have now employed four guards, three for the day and one for the night watch, the salaries of the former being thirty dollars per month, and the latter thirty-five, making the total salaries of guards one hundred and twenty-five dollars per month, and will be necessary for to employ an additional guard for the work-shops, by next spring, if not sooner.

The ordinary expenses of the prison, including salaries of

guards, provision, clothing, bedding, lights, fuel, &c., will amount to three thousand five hundred dollars per annum. The receipts for convict labor will be about two thousand dollars per annum, leaving a balance against the prison of fifteen hundred dollars per annum.

I would suggest to your honorable body the propriety of appointing a committee to visit the prison during the present session. I would be pleased to receive them and give any and all information in my power in regard to the prison, and think it would result in the benefit of the prison and that of the State. Accompanying this is the report of the attending Physician, whose untiring efforts and attention to the sick is worthy of praise.

All of which is respectfully submitted.

GEORGE GRIGSBY,
Warden Iowa Penitentiary.

ATTEST,
WILLIAM WINTER,
Clerk.

THE STATE OF IOWA, } ss.
COUNTY OF LEE. }

George Grigsby being duly sworn makes oath and says that the within contains a true statement of the affairs of the Iowa Penitentiary, from the first day of February, A. D. 1853, to the 30th day of September, A. D. 1854.

GEORGE GRIGSBY, Warden.

Sworn to and Subscribed before me, this 30th day of November, A. D. 1854.

{ L. S. } In witness whereof I have hereto set my hand, and affixed the Seal of the District Court of said county, at Fort Madison, this 30th day of November, A. D. 1854.

SAMUEL A. JAMES,
Clerk of the District Court, Lee County, Iowa.
BY D. H. LE SEAR, Deputy.

We the undersigned Inspectors of the Iowa Penitentiary of the State of Iowa hereby certify the foregoing Report to be correct.

JAMES D. EADS.
Chairman of the Board of Inspectors of Iowa Penitentiary.
JOHN K. SCHWARTZ, Inspector.

TO THE BOARD OF INSPECTORS AND WARDEN OF IOWA PENITENTIARY.

Gentlemen:—At my appointment as Physician to the Iowa Penitentiary, I found the physical constitution of the inmates in general good health; since that time considerable sickness has occurred. The character of disease that prevailed for the first year, was principally fever of an intermittent type, and yielded easily to the treatment employed. During the summer and fall following, the exciting cause of disease of the alimentary canal elsewhere, has caused its occurence in the prison in an increased proportion, owing to close confinement, and a want of a variety in diet. Hence a majority of cases were of a diarrhœal character, some few cases of intermittent fever occurred. In all, the number of cases that re-

quired treatment were seventy, out of which one proved fatal. James L. Aylward died on the 25th of August 1854, of adynamic fever; his general health was considerably impaired when received into the prison, and was unable to perform regular labor.

It is not supposed that prison life is favorable to sound health. Close confinement has a depressing influence upon the mental and physical constitution, and occasionally produces serious disease. There is great need of a suitable hospital for the use of the sick. At present none for that purpose exists, except the night cells. I would suggest the propriety of having one established as soon as convenient, as it would greatly contribute to the salutary treatment of the sick. Nothing aids the physician more in the treatment of disease, than a large room, well ventilated, with every thing clean and comfortable. Fresh air, good nursing, and proper food, are important auxiliaries in the successful management of disease. Without these aids, the physician, however skillful, will find that disease will more frequently prove fatal.

Before my appointment, no attention was given to the examination of convicts at their reception into the prison. I have endeavored to comply with the rules of the Penitentiary in this respect; and have examined up to date twenty-four, all of whom were in general good health, except three.—Those of impaired health are as follows:

James L. Aylward, debility of general constitution.

Daniel Tansy, predisposed to consumption, (phthisis pulmonalis); and,

J. Jasper Holcomb, constitution impaired by intemperance and chronic rheumatism.

In concluding this report, I take pleasure in expressing my

acknowledgments to the Warden and officers for their co-operation in the discharge of the duties of my office.

All of which is respectfully submitted.

A. M. STAYMAN, M. D.

Iowa Penitentiary, Oct. 1st, 1854.

TABLE A.—*Number of Convicts received in the Iowa Penitentiary from October* 1, 1852, *to September* 30, 1854

No.	Names of Convicts.	When received.	Crime.	Sentence.	County sent from.	Occupation.	Age.	Nativity.
1	James B. McCabe,	October 16, 1852.	Detaining a letter.	Three months.	U. States.	Millwright.	45 yrs.	Ohio.
2	Wm. Broady,	" 25, "	Passing counterfeit money.	Five years.	Dubuque.	Cooper.	30	"
3	Hans Gottch,	November 9, "	Grand Larceny.	Six months.	Scott.	Tailor.	23	Germany.
4	Wm. Vanorder,	" 9, "	" "	Four years.	"	Cooper.	48	New York.
5	Horace Vanorder,	" 9, "	Horse stealing.	Two "	"	Laborer.	17	" "
6	Hiram Forbes,	" 9, "	" "	Two "	"	Blacksmith.	24	" "
7	Bartholomew Forbes,	" 9, "	Grand Larceny.	Four "	"	Moulder.	27	" "
8	Asa Kingsberry,	" 9, "	" "	One "	"	Steamboat cook.	18	" "
9	Henry Schworm,	" 9, "	" "	Nine months.	"	Shoemaker.	20	Prussia.
10	John Silverthorn,	" 15, "	Larceny.	Two years.	Lee	Ship Carpenter.	Unknown	Pennsylvania
11	John H. T. Lease,	December 9, "	Passing counterfeit coin.	" "	Des Moines.	" "	"	Maryland,
12	Dan'l Tansey,	April 8th, 1853.	Larceny.	Six months.	Johnson.	Laborer.	18	Indiana.
13	Wm. Tansey,	" 8th, "	Grand Larceny.	Eight months.	"	"	21	"
14	John Arnold,	" 18th, "	" "	Three years.	Dubuque.	Boatman.	26	Kentucky.
15	Jackson C. Hunt,	" 18th, "	" "	" "	"	Rafting.	26	New York.
16	James Aylward,	May 7th, "	Manslaughter.	Five "	Des Moines.	Stone Cutter.	42	" "
17	John Carney,	" 7th, "	Murder in the second degree.	Fifteen "	Clinton.	Laborer.	24	Ireland.
18	Peter A. B. Dutell,	August 20th, "	Horse stealing.	Eighteen months.	Mahaska.	Cooper.	23	Indiana.
19	Varnum Jaquis,	September 22, "	Larceny.	Three years.	Clinton.	Laborer.	22	New York
20	Jacob Hykus,	" 22, "	"	Six months.	"	Shoemaker.	23	Pennsylvania
21	James J. Holcomb,	October 3rd, "	Assault with intent to kill.	Three "	Van Buren.	Physician.	40	Georgia.
22	John McGinnis,	" 8th, "	Horse stealing.	Two years,	Scott.	Sailor.	25	Pennsylvania
23	Edward Britton,	" 8th, "	" "	" "	"	Pastry cook.	18	"
24	James Williams,	" 29th, "	Burglary.	Nine months.	Linn.	Laborer.	39	Ohio.
25	Jos. Means,	November 6, "	Horse stealing.	Five years.	Clayton.	"	21	"
26	James Davis,	" 16, "	Robbery.	Ten years.	Alamakee.	"	23	Indiana.
27	Barnabas Lowell,	April 9th, 1854.	Murder in the second degree.	Life.	Story.	"	64	Ohio.
28	Chas. W. Munson,	" 24th, "	Grand larceny.	Three years.	Marion.	"	22	Ohio.
29	Andrew B. Armstrong,	May 19th, "	Assault with intent to commit rape.	Seven "	Benton.	"	54	"
30	John T. Pearson,	" 26th, "	Grand larceny.	Six months.	Scott.	"	30	England.
31	James Griffith,	" 26th, "	" "	" "	"	"	15	Indiana.
32	Wm. Cunliffe,	June 16th, "	Larceny.	Five years.	Johnson.	Blacksmith.	21	England.
33	Jacob S. Collins,	" 21st, "	Obt'ing money under false pretence.	Six months.	Warren.	Carpenter.	40	Ohio.
34	James Mace,	September 24, "	Larceny.	Three years.	Clinton.	Boatman.	29	Virginia.
35	Wellington Nichols.	June 13th, "	Passing counterfeit bank notes.	Ten years.	Scott.	"	34	Michigan.

No. 35, Wellington Nichols, *alias* Johnson, escaped from the Penitentiary, August 9th, 1851, and was retaken on 13th June 1854; was pardoned August 10th, 1854.

TABLE B.—*The following Table shows the number of convicts discharged by expiration of sentence, pardoned, escaped and death.*

No.	Names of Convicts.		Discharged by Expiration of Sentence.	Pardoned.	Escaped.	Deaths.
1	Garret S. Smith,		October 30th, 1852.			
2	Charles F. Kelly,	(*a*)			Dec. 22d, 1852	
3	Wm. Broady,	(*a*)(*b*)			" " "	
4	Wm. Vanorder,	(*a*)			" " "	
5	Horace Vanorder.	(*a*)			" " "	
6	Hiram Forbes,	(*a*)			" " "	
7	Bartholomew Forbes.	(*a*)			" " "	
8	Asa Kingsberry,	(*a*)			" " "	
9	Henry Schworm,	(*a*)			" " "	
10	John A. Silverthorn,	(*a*)(*b*)			" " "	
11	Wm. Porter, alias Jewett.	(*a*)			" " "	
12	James B. McCabe.		January 15th, 1853.			
13	John H. T. Lease,	(*a*)			Jan. 24th, 1853.	
14	James M. Hurn.	(*a*)			" " "	
15	John C. Herriman,			April 18th, 1853.		
16	Hans Gottch.		May 8th, 1853.			
17	Stephen Lindley.		" 28th, "			
18	George Rynearson,			June 19th, "		
19	Daniel Tansey,			July 7th, "		
20	Wm. Lawson,		Judgment reversed July 13th, 1853.			
21	Wm. Pearce,		Sept. 15th, 1853.			
22	Henry Bliss,			Sept. 21st, "		
23	Wm. Tansey,		Dec. 7th, "			
24	James J. Holcomb,		Jan. 2d, 1854.			
25	Jacob Hykus,			Jan. 4th, 1854.		
26	Peter A. B. Dutell,		Judgment reversed Jan. 17th, 1854.			
27	James Williams,			June 14th. "		
28	Wellington Nichols, alias Johnson.			Aug. 10th, "		
29	James Aylward,					August 25th, 185
30	Horace Vanorden,	(*c*)			July 25th, 1853.	
31	Asa Kingsberry,	(*c*)			" " "	

Nos. 30 and 31 were retaken on the 6th and 10th February, 1853. Nos. 3 and 10 retaken the 6th and 17th January, 1853, and escap on 24th January, 1853.

Those marked (*a*) escaped on the nights of the 22d December, 1852, and 24th January, 1853. Those marked (*b*) were retaken a again escaped on the 24th January, 1853. Those marked (*c*) were retaken on the 6th and 10th of February, and again escaped on 25th July, 1853.

TABLE C.—*Time Register of the Iowa Penitentiary, from February 1st, 1853, to September 30th, 1854, showing the number of days employed by convicts.*

Months.	No. of days' work done in each month.	No. of days sick in each month.	No. of days engaged in chores.	No. of days employed in Kitchen.	T'l No. of days the convicts were employed at work at chores in kitchen & sick.	Sundays and lock-up.
February, 1853,	160	14	33	38	245	43
March, "	228	3	35	31	297	44
April, "	278 1-2	10 1-2	32	27	348	52
May, "	260 1-4	59	41 3-4	26	387	74
June, "	264 1-4	20 1-4	42 1-2	26	353	53
July, "	209 1-4	16 1-4	25 1-2	25	276	45
August "	172 1-4	35	17 3-4	27	252	38
September, "	147 1-4	57 3-4	17 1-2	27 1-2	250	39
October, "	172 1-2	57	34	34	297 1-2	61
November, "	275	27	27	52	381	62
December, "	279 3-4	30 1-2	44 3-4	54	409	61
January, 1854,	216	25	37	52	330	65
February, "	183 1-2	23	32	45	283 1-2	52
March, "	225	13	51	27	316	56
April, "	179	45 3-4	61 1-4	30	316	68
May, "	246 1-4	57	49	40	392 1-4	59
June, "	356 1-4	32 1-2	39 1-4	35	463	71
July, "	229 3-4	71	51 3-4	31	383 1-2	110
August, "	314 3-4	124	15 1-2	30	484 1-4	75
September, "	289	114	18	29	450	69
	4686 1-2	835 1-2	705 1-2	686 1-2	6914	1197

Statement showing the indebtedness and assets of the Prison on the 30th September, A. D., 1854.

Total amount of assets to Sept. 30th, 1854,	$1074 73½	Total indebtedness to Sept. 30, 1854,	$1510 32½
			1074 73½
			$435 59
Of the above amount, probably $250 cannot be collected, being old contracted accounts.			

REPORT

OF THE

JOINT COMMITTEE

APPOINTED TO VISIT THE

Iowa Penitentiary.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1855.

REPORT.

The Joint Committee appointed by the Legislature, to visit and inspect the Penitentiary, have performed that duty, and submit the following report.

Your Committee examined the Books and accounts of the prison, and found them to be correct, so far as they relate to the affairs of the prison under the administration of the present Warden, Geo. Grigsby.

Your Committee found the following to be the state of the prison accounts, as shown by the books:

Indebtedness of the prison, February 1st, 1853, at which time Mr. Grigsy took possession,		$1,385 11
Indebtedness from Feb. 1st to Oct. 1st, 1853, as follows:		
For Provisions,	$288 79	
Clothing and bedding,	423 64	
Lights and fuel,	143 39	
Building and repairs,	657 80	
Salaries,	350 00	
Hospital,	40 50	
Books for Library	22 60	
Materials and tools for workshop and miscellaneous expenses,	158 24	
		2,085 06

Indebtedness from Oct. 1st, 1853, to Oct. 1st, 1854, as follows :		
For Provisions,	581 75	
Clothing and Bedding	134 49	
Lights and Fuel	121 40	
Building and repairs	2638 24	
Salaries	862 19	
Hospital	155 19	
Materials and tools for workshop, and miscellanies,	439 81	
		4,933 17
Total amount of prison indebtedness, Oct, 1st, 1854,		8403 34
Amount paid by Grigsby, from Feb. 1st, 1853, to Oct. 1st, 1854, as shown by his vouchers,		5,609 85
Total,		2,793 49
Deduct from this, the amount paid C. D. Gage by the Auditor of State, for prison cells, which amount is charged against the prison, but no credit given, as the money did not come into the hands of the Warden,		1,662 50
		1,130 99
Add balance due Warden, as shown by the books and accompanying account,		444 23
Total amount of prison indebtedness,		$1,575 22
To meet this amount, your committee find that there was due from the contractors for labor of convicts, on the 1st of October, 1854, the sum of	$386 91	
Due for keeping U. S. convict,	287 50	

Due from R. Quinton, former warden,	233 35	
Probable amount due from other sources,	50 00	
Probable amount which will be due from contractors for labor of convicts on 1st of January, 1855	275 00	
		1,232 76
Total amount of present indebtedness,		342 46
Add probable cost of finishing workshop, due contractors,		1,500 00
Total indebtedness,		$1,842 46

The amount of appropriation necessary to liquidate the indebtedness of the prison, on the 1st day of January, 1855, your committee find to be the sum of $1,842 46.

There are now completed in the prison thirty cells, and it will require eighteen more to finish the lower tier, according to the original design of the building. The cell room is designed to contain three tiers of cells, forty-eight in each tier, making in all one hundred and forty-four cells. Your committee are of the opinion that an appropriation should be made to finish the lower tier of cells immediately. The estimated cost of each cell is $230, which is the cost of those already constructed. The probable increase in the number of convicts for the next two years, will make the construction of those additional cells absolutely necessary.

There is no suitable provision made for the reception of female convicts, if such there should be; and although their proportion to the males is always small, yet your committee deem it important that some preparation should be made for them. The prison is also destitute of a hospital, dining-room, and kitchen. The room occupied at present as a dining-room and kitchen, is in the basement of the workshop, and is totally inadequate to the purpose. Besides, that room will soon be wanted for other purposes, especially if the contractors succeed

in establishing extensive manufactories, as they design. The female ward, hospital, dining-room and kitchen, should constitute one building, two stories high, extending north from the north-west corner of the main building, in the form of a wing.

The dining-room and kitchen should occupy the lower story, and the hospital and female ward the upper. Its dimensions should be about 160 feet in length by 40 in width, and it should be constructed of the same material, and be the same style of architecture as the main building, except the inside wall, which might be of brick. The cost of such an addition to the prison, your committee find from reliable sources, to be about $6,000 00, which amount they recommend should be appropriated for the purpose.

Your committee find that the wall enclosing the prison yard, is of inch oak plank, about 14 feet high, and enclosing a space of about 210 feet by 180.

The space enclosed by the wall, is barely large enough for present purposes; the yard will require to be enlarged, as the number of prisoners increase. Owing to the nature of the ground, the yard cannot be much enlarged east and west, or in the direction of the length of the main building, but additional area can be obtained by removing the north or end wall. The wall surrounding the yard, must ultimately be constructed of stone or brick, and will involve considerable expense; in view of which, your committee would recommend that the building of a permanent exterior wall, be postponed, till the necessities of the prison require a larger space to be enclosed. The present wall, (or rather fence) is sufficient to secure the prisoners during the day, by employing an increased force.

This force consists at present of four day guards and one night guard, which number is considered by the Warden as sufficient.

The day guards are on duty during the day, and are stationed so as to command a view of the whole extent of the

wall. The night guard is on duty during the night, in the cell room.

Your committee find that sufficient regard has not been heretofore had, for the comfort of the prisoners in regard to beds and bedding. While every precaution should be taken to prevent the escape of the convict, he should not be treated with undue severity, nor his personal comfort neglected. His situation within the gloomy walls of a prison is sufficiently unfortunate to excite the sympathy of the philanthropist, and to induce such treatment as will secure to him the greatest possible amount of comfort not inconsistent with his perfect security. Your committee therefore recommend an appropriation sufficient to have constructed for each cell a neat and substantial bedstead, and sufficient bedding for two changes to cover which the sum of two hundred dollars will be sufficient.

Your Committee, in the above remarks, do not mean to be understood as conveying a charge against the Warden. It is the belief of the Committee that he has done all that he could with the means in his power, and to ameliorate the condition of the guilty but unfortunate beings consigned to his keeping.

While upon the subject of the personal treatment of the prisoners, confined in the penitentiary, your committee deem it important to call the attention of the Legislature to the duty of providing some means for their moral culture.

The object of the penal code in inflicting imprisonment, is not only to punish crime, but as far as possible to reform the criminal. Every dictate of humanity, to say nothing of religion, requires that all the means within our power should be used to develop moral sentiments in the heart of the imprisoned convict, so that, when he is turned out upon the world, at the expiration of his term, he may go forth a wiser and a better man. One of these means undoubtedly is, religious instruction, and the usual exercises of public devotion.

Your committee, therefore, recommend that it be made the duty of the Warden and Inspectors of the prison, to employ a minister of the gospel to preach to the convicts, in the prison once on every Sabbath, and that the sum of one hundred dollars per annum be appropriated for that purpose.

Your committee find that the manner of keeping the accounts of the prison is defective, and that some difficulty was therefore found by them, in arriving at the true state of its affairs. In order to simplify the books, and enable the Inspectors to ascertain, at any time, and with ease, the financial condition of the prison, your committee would recommend that a separate account be kept, of each of the following items of expense, viz: provisions, clothing and bedding, lights and fuel, salaries, hospital, building and repairs, and miscellanies. Your committee do not deem it necessary to embody their ideas on this subject in a bill, being satisfied that the Warden and Clerk will promptly act upon this recommendation.

Your committee further report, that from examination of the convict register, there have been received from Sept. 22d, 1849, to Nov. 8th, 1854, sixty-seven convicts, of which number,

38 were intemperate.
10 moderate drinkers.
17 temperate.
2 unknown.

67

Of this number,

26 were married.
31 unmarried.
10 unknown.

67

No register of convicts was kept prior to Sept. 22d, 1849.

Your committee append hereto the following time register of the Iowa Penitentiary, from February 1st, to September 30th, A. D. 1853.

Months.	No. of days work done in each month.	No. of days sick in each month.	No. of days engaged in chores.	No. of days employed in kitchen.	Total No. days the convicts were employed at work, were sick, at chores, in kitchen.
February,	160	14	33	38	245
March,	228	3	35	31	297
April,	278½	10½	32	27	348
May,	260¼	59	41¾	26	387
June,	264¼	20¼	42½	26	353
July,	209¼	16¼	25½	25	276
August,	172¼	35	17¾	27	252
September,	147¼	57¼	17½	27½	250
	1719¾	215¼	245	227½	2408

The above table only exhibits the working days, Sabbath not included. The total number of days, Sabbath included, during the above time, is two thousand seven hundred and fifty-four, (2754). We find the rations, during this time, cost about nine cents and eight mills, for each prisoner, per day, a fraction less than the cost of rations for the fiscal year, ending September 30th, A. D. 1854. The cost for rations, the two preceding years, was about eleven cents for each prisoner, per day; making a saving in favor of this year of about two cents per day, on each prisoner.

Your committee, in conclusion, submit the following estimate of appropriations necessary for the support of the prison, and the completion of the contemplated improvements, for the next two years, viz:

For the general support of the prison, including the salaries of the guards, per annum,	$3,500 00	
Deduct from this the probable amount to to be derived from convict labor,	2,000 00	
Leaving the appropriation for one year,	$1500 00	
General support for two years,		$3,000 00
Salary of Warden for two years,	1,000 00	
" Deputy Warden "	960 00	
" Clerk, "	720 00	
" Inspectors, "	700 00	
" Chaplain, "	200 00	
" Hospital expenses,	200 00	
		3,780 00
Amount due the contractors for completing work shop,		1,500 00
Amount of present indebtedness,		342 46
Cost of 18 cells, at $230 each,		4,140 00
" of beds for cells,		200 00
Cost of the wing, to contain female wards, Hospital, dining room, &c.		7,714 00
		$20,676 46

ESTIMATED COST OF HOSPITAL.

Stone wall 200 feet long, by 22 feet high,	$2,551 50
For brick wall, 160 feet long,	987 00
Foundation for brick wall,	176 00
Materials for roof, and building same,	1,500 00
32 grate windows, at $50 each,	1,600 00
Window frames, materials and making same,	100 00
2 partition brick walls,	150 00
Window sash and glass,	175 00

Materials and work for laying two floors, 40 by 40,	300 00
Three inside doors,	100 00
For inside windows,	75 00
	$7,714 50

I. M. PRESTON, Chairman.
WM. DEWEY,
J. P. EDIE.

The undersigned, members of the above committee, cannot fully concur in the recommendation expressed by the majority of said committee, in respect to the appropriation, at the present session of the General Assembly, for the erection of an hospital building—believing that said appropriation can be safely deferred for two years.

M. T. WILLIAMS,
A. H. McCRARY.

REPORT

OF THE

OVERSEERS

OF THE

BLIND ASYLUM

OF THE

State of Iowa,

TO THE GENERAL ASSEMBLY.

DECEMBER 13th, 1854.

JAMES D. EADS, *President.*
GEORGE W. McCLEARY, *Secretary.*
JAMES W. GOWN, *Treasurer.*
MARTIN L. MORRIS,
STEPHEN HEMPSTEAD,
MORGAN KENO,
JOHN McCADDEN, } *Trustees.*

IOWA CITY:
E. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

GENTLEMEN OF THE SENATE,

AND HOUSE OF REPRESENTATIVES:

As required by section nine, chapter twenty-six, of an ac for the establishment of an Asylum for the Blind, approvet January 18, 1853, we beg leave to make the following Report:

We organized the Asylum for the instruction of the blind at as early a day as practicable after the passage of the law establishing the same, by appointing Prof. S. Bacon, Principal; Prof. S. J. Gittinger, Teacher of Music, and Mrs. Bacon, Matron.

The Institution was opened for the reception of pupils on the fourth day of April, 1853. The first session continued about fourteen months, at which time we ordered a vacation until the fourth of September, 1854, when the present session commenced.

Since the opening of the Asylum for the reception of pupils, there have been twenty-three admitted, a list of whom you will find attached to this Report, marked "A."

Donations to the Asylum you will find marked "B." A table, showing the receipts and disbursements, you will also find attached, marked "C."

It has been with the greatest difficulty that we could procure suitable buildings for the accommodation of the pupils, and it is utterly impossible for a large class to be accommodated with our present buildings.

We would most earnestly and respectfully urge the necessity of making the necessary appropriations the present session of the Legislature, for the erection of suitable buildings for the accommodation and instruction of this unfortunate portion of our citizens; also, a sufficient amount to support the Institution in its present condition until the erection of new and suitable buildings.

The teachers connected with the Asylum appear to be de-

voted to the interests of the Institution, and take special care of the mental and moral training of the pupils under their charge.

The pupils have made rapid progress in their educational and mechanical departments, even far beyond the expectation of the most sanguine friends of the enterprise.

We think it would be good policy to so amend the law, establishing the Asylum for the blind, as to do away with all distinctions between the rich and poor, as we have found by long experience that all educational enterprises succeed best where all distinctions between rich and poor are abolished, and where all the pupils can enter the school upon an equal footing.

It is unpleasant to be poor, but it is humiliating in the extreme to compel poor persons to have a record of their poverty made in our county courts before they can send their unfortunate children to a school where they can be taught to read and understand all about the world they live in, which is all utter darkness to them, and thereby become intelligent and useful citizens.

We refer you to the Report of the Principal of the Asylum, which is made a part of this Report, for a more full and definite statement of the workings of the Asylum.

We ask that the name of the "Asylum for the Blind" be changed to that of "Institution for the Instruction of the Blind," as we think the term Asylum inappropriate, as the Institution is a school for the instruction of the blind, and not an asylum. All of which is respectfully submitted.

JAMES D. EADS, *President.*

Report of the Principal to the Overseers.

GENTLEMEN:

In presenting this Report, I do not conceive it necessary to give any arguments in favor of the establishment of institutions for the instruction of the unfortunate portion of the human family, when such institutions have multiplied with such unparalleled rapidity, and have been fostered with such care.

From the most remote antiquity there have been numerous examples of the blind who were distinguished for their various acquirements, yet the idea of raising up institutions for the instruction of the blind is of recent origin. Abbe Hoie has the honor of making the first attempt at any thing of the kind for the instruction of this unfortunate class of our fellow beings. This was in the year 1784. Six years later, his school was taken under the patronage of the French Government. Soon after this, schools were established in most of the European states. Preliminary steps were taken for the establishment of one by the citizens of Boston, in 1829; soon New York and Philadelphia followed in this benevolent enterprise. From these have sprung the different institutions for the instruction of the blind which are scattered throughout our happy country. There are now eighteen in the United States, and all but three or four of the States have made some provision for the education of the blind.

This Institution was opened on the fourth of April, A. D., 1853, and continued in session until June 24th, 1854, when, by your direction, it was closed to open again on the fourth of September, the commencement of the present session.

In accordance with your instructions, I attended a convention of the teachers of the blind, held in the city of New York on the 16th, 17th, and 18th of August, 1853. Many topics of interest were discussed, particularly that of printing for the blind. The Convention adjourned after appointing a committee to memoralize Congress for a grant of public lands to aid in the building up and support of institutions for the instruction of the blind in the different States and Territories in the United States.

Probably this was the first convention of the kind ever convened, and certainly it was the first in this country. This convention was well attended, the Principals of fourteen Institutions were present, representing some twenty States.

While in New York I obtained several donations of books for this Institution, and made such purchases as you directed; yet we are in great need of more books, instruments, and other apparatus. The progress of the pupils is greatly retarded for the want of them, but I cannot urge their purchase without there are more means placed at your disposal.

The course of instruction and division of time is as follows: The pupils rise at 5½ o'clock, A. M., geography from 6 to 7 o'clock, breakfast and recess from 7 to 8 o'clock, arithmetic and algebra from 8 to 9 o'clock; recess ten minutes. One hour vocal music, ten minutes recess, one hour grammar and writing, one hour instrumental music and reading raised print, dine 12½ o'clock, P. M.; recess to 2 o'clock, P. M. From 2 to 5 o'clock the pupils are engaged in some kind of work, the males in the manufacture of brooms, and the females in sewing, knitting, and bead work. Supper at 5½ o'clock, recess to 7, from 7 to 8 o'clock, history. Younger pupils retire at 9 o'clock, the older ones at 10 o'clock, P. M. In addition to the above course, the pupils receive instruction on the piano forte, and a small class in geometry. The news of the day are read to the entire class from the various papers sent to the Institution gratis. The pupils evince a great interest in their different pursuits, and feel thankful that there is a place provided for their education.

The discipline is mild, but firm, free from corporeal punishment. The plan of instruction is by lectures and interrogation. No sectarian views are taught, but a due reverence and respect for the Supreme Being is inculcated at all times in

the Institution. If the weather will permit, all the pupils are expected to attend church on the Lord's day.

Generally, our household has been healthy, not one of the members of the Institution has lost a day from school on account of sickness. This is a little remarkable, as the blind, from their sedentary habits, are predisposed to diseases of various kinds persons who have their sight are not subject to. The number of pupils has not increased so fast as we could desire for several reasons. First, for the want of means to make the proper exertions to induce them to leave their homes. Secondly, the objection of parents to comply with the law; and, lastly, for the want of room to accommodate them.

I would most respectfully suggest the propriety of changing the name of the Institution from "Asylum for the Blind," to that of "Institution for the Instruction of the Blind," for it is not an Asylum, and the repealing of Sec. 5, of the law establishing Asylum, or so far as it makes a distinction between rich and poor, a distinction which is very prejudicial to the interests of any institution of learning.

It is true there is not much to be feared from the above distinction at present, as it is not likely there is a single blind person in the State who is really able to defray the expenses attending an education. It is worse than useless to require the parents to produce a certificate of their inability to defray the expenses of educating their blind child, for all look upon this as a degradation, which some will not submit to, preferring to rear their children in ignorance, thereby adding to the misfortune of physical blindness that of mental darkness.—Iowa stands alone among the Western States in this restriction. It is to be hoped that she will adopt as liberal a policy as that of her sister States, educating all her blind, deaf and dumb free of charges.

It is with pleasure that I can speak in the highest terms of praise in regard to the conduct of all under my charge.

A. Keithley, Teacher of Mechanics, discontinued his connection with the Institution on the 16th of October last. His place has been temporarily supplied by C. M. Lee. The pupils have made fine progress under their Music Teacher, T. J. Gittinger, who bids fair to become a superior instructor in that branch.

The duties of Matron and Housekeeper have been dis-

charged by Mrs. Bacon since the opening of the school in this city. Some change should be made, for the duties to be performed by the Matron are so onerous that I would most respectfully recommend the appointment of an assistant Matron.

As to the policy pursued in this Institution, I can only say that I have had but one object in view, and that is to better the condition of the blind, and thereby place them in their true character before the public, and in so doing, make them intelligent and useful citizens.

It is confidently believed that the blind, with the proper instructions, will be able to maintain themselves free of charge from their friends or the State. There will be as few exceptions among this unfortunate class, according to their numbers, as among those who have their sight.

Many experiments will yet have to be made, as the education of the blind is yet only in its infancy, but this Institution has the experience of many others before it, and our endeavors shall be to avoid all the errors of the past; and if we should fail in our effort, it will be a lack of judgment, and not of intent on our part.

I can not close this Report without respectfully urging upon you the necessity of the erection of a suitable building for the school. The one we now occupy is the largest that could be obtained in the city. It is now filled to its utmost capacity, even more than prudence would admit if we could do otherwise. If we should have a protracted case of sickness among our number, it would be impossible to attend to it in the house. It is utterly impossible to carry out the design of the Legislature in educating the blind of Iowa, without a suitable building for the reception of scholars.

In the erection of a building, I would, therefore, respectfully recommend the selection of some eligible site in the city, and that it be large enough to accommodate at least fifty pupils. Probably this will be sufficiently large for several years, and when it becomes insufficient to supply the wants of the State, we will be able to erect more commodious and permanent buildings, which will do credit to our young and growing State, and locate the same to suit the convenience of our increasing population; and at that time the old buildings can be disposed of with but little loss to the State. If a contrary

policy be pursued, it must be many years before the blind of our State can be received into school, and many of them will have passed the most important period of life before receiving instruction, and the evil, in many cases, will be irreparable; and to prevent this, the blind of Iowa most respectfully and earnestly call upon you, their legal guardians, to make an effort to increase the capacity of this Institution to impart instruction to them.

In conclusion, allow me, gentlemen, to express to you the hope that the good understanding and kindness which has marked your intercourse with me may be continued. All of which is respectfully submitted.

S. BACON, *Principal.*

No.	Names.	Ages.	Residence.	Places of Nativity.	Sex.	Dates of Admission.
1	James A. Gilliland,	23	Johnson county.	Pennsylvania.	Male.	April 4th, 1853.
2	Agnes Walters,	21	Iowa "	Ohio.	Female.	" 5th, "
3	Josephine Porter,	14	Johnson "	Indiana.	"	" 29th, "
4	Mary Bushnell,	17	Lee "	Iowa.	"	May 12, "
5	William Gunn,	17	Camanche "	Michigan.	Male.	" 24, "
6	S. L. Grady,	17	Jefferson "	Illinois.	"	June 6, "
7	A. Lett,	15	Cedar "	Ohio.	"	" 28, "
8	Rhoda Bowen,	29	Johnson "	"	Female.	July 16, "
9	John Stafford,	24	Lee "	Ireland.	Male.	" 19, "
10	William Adair,	15	" "	Illinois.	"	Nov'r. 19, "
11	Mary Trimble,	16	" "	Indiana.	Female.	" 10, "
12	John Bonn,	12	" "	Iowa.	Male.	October 27, "
13	Mary Ann Bonn,	21	" "	New York.	Female.	" 27, "
14	John Cisnee,	24	Des Moines "	Pennsylvania.	Male.	" 29, "
15	Thomas Duff,	8	" "	Scotland.	"	December 14, "
16	Jacob Niermeyer,	10	Marion "	Netherlands.	"	" 24, "
17	James Ronalson,	21	Desmoines "	Scotland.	"	September 6, 1854.
18	Albert Terwilligar,	17	Jones "	New York.	"	February 6, "
19	Rebecca Cameron,	13	Dubuque "	Pennsylvania.	Female.	" 6, "
20	Phebe M. Caldwell,	13	Van Buren "	"	"	May 22, "
21	John F. Wendell,	19	Jackson "	"	Male.	November 6, "
22	Eliza Jane Stephenson,	22	Keokuk "	Illinois.	Female.	" 11, "
23	John Poff,	19	" "	Indiana.	Male.	" 17, "

[B.]—DONATIONS *to the Asylum for the Blind, located at Iowa City, Iowa:*

By the American Bible Society, 2 copies of Bible and Psalms.	$44 88
By. D. S. Miller, of Philadelphia, 6 copies of Common Prayer,	18 00
By T. Butler, of New York, 2 Copies of Common Prayer,	6 00
By American Tract Society, Miscellaneous Books,	6 50
By American Sunday School Union. Miscellaneous Books,	5 00
Keokuk Dispatch,	2 00
Fairfield Ledger,	2 00
Iowa Capital Reporter,	2 00
Iowa Republican,	2 00
Dubuque Herald,	2 00
Miner's Express,	2 00
Total amount of Donations,	$92 38

[C.]—RECEIPTS AND DISBURSEMENTS *of Blind Asylum, located at Iowa City, Iowa.*

Appropriation by the General Assembly,	$2,000 00
Drawn on Pupils,	2,889 50
Total amount of receipts,	$4,889 50
For teachers' salaries, rents, repairs, and all other expenses, and disbursements,	
Total amount,	$4,889 50

MEMORIAL

OF THE

COMMITTEE

OF THE

STATE AGRICULTURAL SOCIETY.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS,
1854.



To the General Assembly of the State of Iowa,
now in session:

The undersigned beg leave to represent that, at the organization of the State Agricultural Society, at Fairfield, on the twenty-eighth day of December, 1853, they were appointed a committee to memorialize your honorable body in behalf of the same, and invoke that material aid requisite to enlarge the sphere of its usefulness, and place its continued existence upon a permanent basis.

This duty the committee find a pleasure in performing, and would respectfully invite the attention of your honorable body to the following suggestions:

First. That the State of Iowa is understood to be reported at the general land office at Washington city as possessing more good cultivable land within her borders than any State in the Union. That seven-eighths of her population is now, and in all probability will continue to be engaged in the cultivation of her soil, that husbandry in its large sense must ever be the *chief* source of its wealth and power, and thus being the most comprehensive interest in the State, it should be upheld and fostered by State patronage and legislative encouragement.

Second. The crowning merit of the present age is the great movement that is being made to elevate the standard of agriculture, by bringing the light of the natural sciences to the guidance of its labors, and thus securing to husbandry its highest conception as a science and as a system. It is the clear duty of this State to put herself in accord with this

movement, by adopting the means necessary to accomplish the end, and making Iowa the first State in the Union, in a wise, vigorous, and successful system of husbandry, as she is *first* in the beauty of her plains and richness of her virgin soil.

Third. Sixty year's experience of some of the older States have demonstrated the utility of state and county agricultural societies and public fairs, as an important means of developing the capabilities of the soil, and the cultivation and treatment of its more useful animal and vegetable productions. Besides which it is known that they stimulate inquiry, excite to industry, promote good neighborship, and a common sympathy among the tillers of the soil, whilst they increase the general thrift, production and wealth of the State.

Fourth. Both State and county agricultural societies in other States have and are now rendering liberal pecuniary support, where they are still kept up without abatement in interest, and to the manifest improvement of their domestic animals, and the fertilizing agents of their soil, and that, too, when under the policy of these States large drafts have been constantly made upon their revenue for projects of internal improvements and public works, whereas a similar policy will not likely obtain in this State, as the experience of the past has taught us that these public works can best be carried forward under the capital and enterprise of private associations.

Besides, it is known that the educational interest of the State is already liberally provided for beyond any future contingency, that the public domain within our chartered limits is rapidly being purchased up and occupied by the cultivators of the soil, which must *as* rapidly increase the revenue of the State, and which, under the policy adopted, will not be drawn upon for any considerable purpose beyond the current expenses of the State, (which is understood to be exceedingly

economical, and in the judgment of the undersigned, too small in many instances for the good of the public service.)

For these, among other considerations which could be named, it does seem to the committee that the Legislature, at its present session, ought to extend in some suitable way its fostering and efficient aid to the great farming interest of the State; and, especially, that an annual appropriation of one thousand dollars may be made to advance the objects and praiseworthy aims of the State Agricultural Society, which the undersigned now represent.

The committee cannot fail to state that this society held its first annual *fair* at Fairfield, in Jefferson county, on the 25th day of October last, which, being the first, and considering the unfavorable season for cropping, was highly creditable both to the society and the State, and did challenge the admiration of all who had the pleasure of witnessing its exhibition.

Its expenses and premiums were met by the contributions of individuals, the liberality of some of whom merit the greatest praise; but it is asking and expecting too much of private individuals to uphold an institution whose benefactions are designed for the whole State, and the burthens of bestowing which should be at the common expense of the State. Until this is done, its most ardent friends hardly hope to see the society placed upon a sure and permanent basis.

In behalf of this society, therefore, the committee would invite your earnest attention and favorable consideration of your respective bodies, referring you to the wisdom of those enactments which animated the legislators of other States.

And the committee would feel that their duty was but half performed, if they omitted to suggest another method besides direct appropriations of money, which, in an important sense, would be a very great auxiliary, not only in giving to county and State agricultural societies their greatest utility, but which would bestow its benefits upon every farmer of the

State, and indirectly upon every citizen of the State. And *this is* the establishment of an agricultural bureau at the capital of the State, with a secretary and other officers attached, whose duties should be defined and prescribed by law. Such a department of State may not be dissimilar in its objects and purposes to the same bureau connected with the Patent office department at Washington city. Connected with this bureau, as an indispensable adjunct, should be one or more State geologists and agricultural chemists, who should be constantly in the field, making their experiments and observations. To this branch of the bureau might be referred every scientific question calculated to meet the progressive demands of agriculture, such as the analysis of the soils, and of the different fertilizers or manures, the food upon which every plant must live, from whence obtained, whether from the earth or air; the deficiencies of the soils to the growth of a given crop, and how the deficiencies may be supplied; the adaptation of particular soils to the growth of particular plants, the causes of exhaustion of soils, the means of restoration, when nature will supply the deficiencies, and when man must do it for her; the principles upon which alone a judicious rotation of crops can be applied to a given soil. The office or mission of agricultural chemistry is to explain the whole process of vegetable life, and to furnish to the tillers of the soil every useful fact or information which bears upon the economy of field labor or general husbandry.

The Iowa Farmer wants to be advertised of the newest and best mode of culture in his own State, climate and soil. It should be the business of this Department of State to supply this information in the most authentic and reliable form; also to gather up the practical experience of the best farmers in the world, and to circulate the same quarterly or annually in the form of cheap tracts, broad-cast over the State.

The result would be, first, greatly to elevate the standard of agriculture, increase production, and add to the wealth of the State. Second, to prevent an early deterioration of the soil, under the present forms of careless and random cultiva-

tion, by giving back to it, under the directions of science, those fertilizing agents which each successive crop abstracts from the same. Lastly, the achievements of agricultural and organic chemistry, in its due application to the business of husbandry, will ultimately lead to the institution of agricultural schools, upon experimental or pattern farms, where the whole circle of the natural sciences will be taught and practically applied, without which it is quite safe to say that the highest capabilities of land culture, horticulture, and stock raising can never be elicited.

The propriety, then, of establishing an agricultural bureau, with suitable functions and officers to aid in working out the great practical problems of agricultural science, is respectfully submitted for the consideration of your honorable body, believing that you appreciate the importance of exhibiting an example of correct and successful tillage in all our borders, and that a high degree of cultivation will ever find its material elements in an educated husbandry.

GEO. McCLEARY,
R. C. LOWE,
GEO. S. HAMPTON,
GEORGE GILLASPY.

REPORT

OF THE

Commissioners and Register

OF THE

DES MOINES RIVER

IMPROVEMENT.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

OFFICE OF THE BOARD OF PUBLIC WORKS
OF THE STATE OF IOWA,
Keosauqua, December 1st, 1854.

To the General Assembly of the State of Iowa:

GENTLEMEN: In compliance with law, the Board of Public Works of the State of Iowa submit the following report of their official operations, since their election in April, 1853.

The present Board was elected by the people of the State of Iowa, under an act passed at the last session of the General Assembly of said State, which act so prescribed and defined their action that no contract except for the completion of the Des Moines river improvement to the greatest extent practicable could be effected, and feeling desirous (until such contract could be made) of reducing the expenses of said work, the Board discharged all the assistant engineers that were found in the employ of the State, retaining only Guy Wells, Esq., the former chief engineer, under a contract to pay for services actually rendered. Thus reducing the expenses of engineers, from about $4,000 to less than $2,000 per annum.

No officers or persons have been employed by the Board, except when the necessities of the work imperitively demanded it.

The Board on entering upon the discharge of their official duties, beleiving the intent and spirit of the law, under which they were elected, to be, to preserve unimpaired, as far as possible, the munificent grant made by the General Government, for the improvement of the Des Moines River, until

such times as it would answer the end had in view, have steadily avoided all expenses except such as were absolutely necessary to protect and advance the interests of the improvement, as will appear by the amount rendered, accompanying this report.

The work on the lock and dam at Keosauqua has progressed steadily, under the original contract, executed by the former Board, and is now in such a state of forwardness as will secure the completion of said work early next season.

The work at Farmington, originally contracted to Messrs. J. McCune & Co., is also progressing under the control of Jonas Houghton, Esq., assignee of Messrs. McCune & Co.

In this contract the Register of said improvement, acting at the time as the entire Board, made such alterations as the necessities of the case required.

Since the work has been under the control of Mr. Houghton, it has progressed rapidly towards its final completion, and will no doubt be ready for the passage of water-crafts before the expiration of his contract time.

In consequence of the increased size of the locks, as well as depth of water provided for in the contracts with the Des Moines Navigation Rail Road Company, and the consequent change in the foundations of the work at Keosauqua and Farmington, the contractors on the works have necessarily been retarded in their operations during the past season.

Yet there can be but little doubt that the contractors will be able to complete those works during the coming season.

It is with pleasure that we are able to announce that the river has been cleaned of snags, boulders, and other obstructions to navigation, during the official term of the present Board, to such an extent as to make the navigation of said river at proper stages of water safe and reliable.

Under the act above referred to, two Assistant Commissioners, George G. Wright, Esq. and Uriah Biggs, Esq., were

appointed for the purpose of aiding the Commissioner in effecting a contract for the entire and final completion of the improvement, in accordance with the terms of the law under which they were elected and appointed.

The Commissioner and Assistant Commissioness, adopting the feelings and interests of the people, manifested through their Representatives in the General Assembly, by the enactment of a law, which should secure the early completion of the improvement of the Des Moines river to the greatest practical extent, immediately entered into correspondence with such persons and companies as were thought likely to embark in such an enterprise. By this means they effectually succeeded in enlisting the attention and interests of capitalists and contractors in the importance and magnitude of the work; a number of whom came into the State for the purpose of investigating the probable results of an investment of their capital and time in this enterprise. Such persons, by a thorough and careful examination of the entire Des Moines valley, would make themselves fully acquainted with the Des Moines river, its peculiar adaptation to an improvement by a system of dams and locks, the vast agricultural resources of the country, the immense coal fields through which the improvement passes, (innumerable veins of which are now open on the banks of the river), the fine quality and superabundance of stone for building and other purposes, the large beds of hydraulic lime, all of which enter so largely into the consumption of the country, that the tonage upon this improvement, when completed, is incalculable, and upon their return eastward, impart to others the information so obtained, thus giving to the eastern world, a reliable knowledge of the Des Moines river, its best resources, which heretofore had been, to them, a sealed book.

The services of the commissioners in their efforts to accom-

plish the wish of the Legislative Assembly, will be perceived by the present report.

On the 17th day of December, 1853, Henry O'Reilly, Esq. of New York, entered into a contract with the Commissioners in which, for the consideration of the unsold lands belonging to the improvement and the tolls, water rents and other profits arising from the work, for the term of forty years, agreed agreed to complete the entire work within the period of four years, from the first day of July, 1854, according to the original surveys and specifications made by the engineers of said improvement, and on file in the office of the Register of said work.

Immediately upon entering into this contract with the State of Iowa, Mr. O'Reilly returned to the east, and by his influence and energy, succeeded in organizing a company under the laws of Iowa, known as the Des Moines Navigation and Rail Road Company, composed of able and reliable capitalists; to whom Mr. O'Reilly assigned his contract with the State, himself being a member and one of the officers of said company.

On the 9th day of June, 1854, by the consent and request of Mr. O'Reilly, made in writing, (a copy of which is hereto attached, marked A), and the officers on the part of the State of Iowa, the O'Reilly contract was cancelled and a contract similar to the former was executed between the officers of the Des Moines Navigation and Rail Road Company, for and on behalf of said company, and the Commissioners for and on behalf of the State of Iowa.

In this contract the company agree to pay all the outstanding debts against the improvement, within ninety days from the date of said contract, to settle and pay all damages against the State of Iowa, on account of the prosecution of said work, to mill owners or others, who have or may hereafter sustain damages on account of the same, to pay the

salaries and expenses of the officers and engineers in charge of said work, to complete the improvement from the mouth of the Des Moines river, to Fort Des Moines, in accordance with the original plan and specifications of the State Engineer, by the first day of July, 1858, and to construct the work in such a manner, as to ensure the navigation of the same for the longest period each year practicable, and to complete at least one fourth of the work each and every year, commencing on the first day of July, 1854.

In consideration of the above and other agreements and covenants contained in said contract by said company, the Commissioners have agreed to convey the said company in manner and form set forth in said contract, (a copy of which is hereunto annexed, marked B,) all the unsold lands belonging to said improvement, and give to said company the use of the work, the tolls and the water-rents under certain conditions, as in said contract specified, for the term of forty-one years from the first day of July, 1858.

A supplemental contract, (a copy of which accompanies this report, marked C,) of same date of the last mentioned, was executed between the Des Moines Navigation & Rail Road Company and the Commissioners of the Des Moines River Improvement, in which the company covenant and agree to enlarge the Locks from the original size of one hundred and seventy-five feet, to two hundred feet, and also to so locate and construct the Draws and Locks, as to increase the depth of water to four and a half feet, and otherwise improve the character of said work, so as to secure the Navigation of the river to a larger and more desirable class of boats; thus adding largely to the commercial and manufacturing advantages, intended to be afforded by the Improvement.

As a further consideration for the above additions to the work, by the company, the commissioners by said supplemental contract have given the said company an extension of the term

of the use and control of the work, to sixty years, instead of forty-one, as under the original contract.

The Officers of the State deemed the execution of this supplemental contract of vital importance to the State, guaranteeing as it does an enlargement of the Locks and an increased depth of the water so as to admit of the navigation of the river by a class of boats of at least four hundred tons burthen, at all seasons of the year when the navigation is not obstructed by ice; a class of boats which are in the most common use on the Upper Mississippi and Ohio rivers, may without difficulty navigate the Desmoines to the head of the improvement, at Fort Desmoines, or such other point above Fort Desmoines, as it may be found practicable, to improve said river by slack water, when the work shall be completed, as anticipated by this contract. This will prove of incalculable importance to the commercial interests of the valley, as it at once suspends the necessity of reshipment at the mouth of the river, or at any point on the river.

All ordinary sized boats that now navigate the Upper Mississippi and its tributaries, may receive their loading at any point on the north western rivers, and land it any point on the Des Moines river; thus saving to shippers the expense of reshipment, storage, commissions, &c., which under the original contract, would necessarily have been incurred.

Subsequent to the execution of the supplemental contract of the 9th of June, 1854, on a view of the Upper Desmoines river country, and on an examination of the plats at the office of Register, it was found that the lands below Fort Dodge had been disposed of and the moneys applied to said improvement, to a much greater extent than had been previously understood by either the Commissioners, or the Desmoines Navigation Rail Road Company, although the amount of land originally estimated, was found not to be too large, yet their location being much higher up the river, and consequently at present not so valuable

In consequence of this misunderstanding the Company claimed a further extension of the use and control of the improvement, under the circumstances a majority of the board were convinced that the Company had labored under a misapprehension in the premises, and that they had been unintentionally misled in their information derived from persons entirely disconnected with the work, in regard to the location of the unsold lands belonging to the Desmoines river grant.

A majority of the Commissioners entered into an article of agreement (a copy of which accompanies this report, marked D) with the Company, in which they promise to extend the time of the Company's use and control of the work, to seventy-five years, in consideration of the faithful compliance on the part of the company of their original and supplemental contract.

In consenting, as a majority of the Board have, to the execution of a contract, which shall pass the improvement from the possession of the State, for so long a period of time, you can be assured it has not been done without a due consideration of the interests of the State. The responsibility involved in effecting a contract of the immense magnitude of the present, the Commissioners have been slow to assume. But we are of opinion that the circumstances which surrounded the enterprise and the beneficial consequences which must inevitably follow a literal fulfilment of the engagements of the parties fully guarantees the Commissioners in their action. It has long been a source of complaint by the citizens of the State, that the grant of lands by the General Government for the improvement of Iowa's favorite stream, had been injudiciously applied, that while from the mode of carrying on the work in the manner it had previously been conducted, the grant was fast being expended with but little, if any, practicable beneficial results to the State. Hence the enactment of the law at the last session of the General Assembly of Iowa, which confined the officers to

the making of contracts which would secure the improvement of said river, to the greatest extent practicable. As before stated the officers of the State entered upon the discharge of their official duties, with the consideration that the spirit and intent of the law under which they were elected, was enacted with a view to prevent the lands from being applied to the construction of broken and scattered works, which could produce but local benefits, and to secure as soon as possible, and on the best terms, a contract that would effect the completion of the entire work. To this end the Board have directed their entire energies. They have spared no efforts to conclude the most favorable contract (looking at the completion of the entire work,) that could be effected for the State under the circumstances that the work was placed, and they are gratified to learn, so far as their observation has extended, that their acts have met with almost universal favor by the citizens of the valley.

Could the desired end have been obtained, so that the State could have retained the possession of the improvement after completed, it would have been a source of great satisfaction to the Board, as well as a source of profit to the State. But the Board are of the confident opinion that the lands have been so far expended in what has already been done, that the time would never have come, when the proceeds of the lands alone would have completed the work. It has not been without some considerable difficulty, during the past few years, that the attention of capitalists could be attracted to the subject and importance of slack water improvements. Rail Roads seemed to be the all absorbing topic of interest which has occupied the public mind. To Iowa, as a State, and particularly to the central portion of the State, the Board regards the efficient and complete improvement of the Desmoines river of vastly greater importance to their interests, than the most complete and efficient system of rail roads, that could be devised or constructed. In addition to the commercial facilities consequent on the slack

water navigation of the river, a water power that will prove almost inexhaustible, will be created by the construction of the work.

Iowa, with her river improved, as contemplated by this contract, with unobstructed navigation to her rich and heavy beds of gypsum, on the Upper Desmoines, (of which David Dale Owen, United States Geologist, says for thickness of extent this is by far the most important bed of plaster stone known west of the Appalachian chain, if not in the United States, there is every reason to believe that it occupies an area of from two to three miles square, retaining an average thickness of twenty feet; perhaps, double that thickness at certain points), an immense water power created, that is hardly equalled in this Union, and natural and other artificial advantages, which will be constructed, will within a few years be unrivalled in her commercial and manufacturing wealth and facilities by any western State, if not among the first States of this Union.

As before stated, the officers for the State, in view of the advantages to be derived from the early completion of this improvement, and in obedience to the expressed will of the people, through their Representatives, have lost no opportunity, which, in their estimation, would bring about the desired result. The liberal donations of public lands by the General Government, which has heretofore realized to the State comparatively but of little value, under this contract will complete the entire work, and thus secure the end had in view at the time of its donation.

It will be seen by the contract that, although the work, when completed, will pass into the possession of the Company for the term of years specified, that the State still holds a controlling interest in it, no impositions can be practised on the people in the way of exorbitant tolls or water rents. No description of water crafts can be excluded from the navigation of the river, and that at the end of the time the work reverts to the State and must be in good repair and condition.

The Commissioner and Register would improve the present opportunity to state that much credit is due to Geo. G. Wright, Esq. and Uriah Biggs, Esq., the able and efficient Assistant Commissioners, for their zealous interests manifested in the advancement of the interests of the improvement, and for their efficient aid and assistance afforded by them in the conclusion of the contracts that have been effected.

[No. 1.]

JOSIAH H. BONNEY, in account with Desmoines River Improvement. DR.

1853.		
June 30. To cash rec'd of Register on draft No. 1	$12,267	00
August 6, " " " " 2	7,789	30
Sept. 1, " " " " 3	2,000	00
Dec. " " " " 4	5,000	00
1854.		
Jan. 30, " " " " 5	10,000	00
" " " " 6	2,608	85
Desmoines Navigation and Rail Road Company, on contract for furnishing the improvement,	55,000	00
	$94,664	15

CR.

By amount paid for work at Farmington in removing old dam,	$1,268	32		
Repairs at Bonaparte,	72	54		
Paid for work at Croton,	1,099	32		
" " " Bentonsport,	5,732	46		
Removing dam at Plymouth,	1,410	50		
" snags at Belfast and Nassau,	75	00		
Work at Keosauqua,	5,349	00		
Legislative Committee,	257	54		
Salary of Assistant Commisioners,	106	00		
Engineers,	696	45		
Storage, iron, &c.	1,130	97		
Law Fees,	375	00		
Drafts drawn on Bangs and protested,	4,456	51		
Interest on bonds,	728	47		
Award to Allender & Corts,	4,215	45		
On certificates,	64,097	72		
Jesse Williams & Co. on bonds,	2,583	85		
Salary of Commissioners and incidental expenses	1,717	10		
			$95,372	40
Due Commissioner,			708	25

[No. 2.]

GEORGE GILLASPY in account with Desmoines river Improvement.

	Dr.		Cr.	
Amount of lands sold by me from the 23d day of May, 1853, to the 30th of Nov. 1854, inclusive, -	Acres. 74,204	100th 05		
At $1,25 per acre, - - -	$92,755	06		
There were 478 21-100 acres of above lands sold at $2, per acre,	358	65		
Amount received from Paul C. Jeffries, late Register, &c. - -	1,625	40		
Showing sum total, - -	$94,739	11		
Amount paid J. H. Bonney, Commissioner on his several drafts, as fol.:				
No. 1 " "			$12,267	00
" 2 " "			7,789	30
" 3 " "			2,000	00
" 4 " "			5,000	00
" 5 " "			10,000	00
" 6 " "			2,608	85
Total, - -			$39,664	85
Amount paid by self, as Commissioner and Register, as shown by books and vouchers in this office, -			$53,214	02
Amount of money on hand at this date,			1,860	24
Showing sum total, - -			$94,739	11

OFFICE OF REGISTER OF DESMOINES RIVER IMPROVEMENT,

GEORGE GILLASPY,
Register, &c.

Ottumwa, Iowa, November 30, A. D. 1854.

[A.]

Release executed by Henry O'Reilly, Esq. of his contract for the improvement of the Desmoines river, dated December 17th, 1853, to the "Desmoines Navigation and Rail Road Company."

Whereas, I did, on the 17th day of December, 1853, enter into a contract with Josiah H. Bonney, as Commissioner, and Uriah Biggs and George G. Wright, Esq. as Assistant Commissioners of the Des Moines River Improvement, (so called,) for the prosecution and completion of said improvement, and did afterwards, on the 18th day of April, 1854, make an addition and amendment to said contract, with the said officers.

And, whereas, for the better accomplishment of the objects of that contract and amendment, I have enlisted the aid of capitalists and caused the organization of a corporation known as the Desmoines Navigation and Rail Road Company, of which I am a member, and to which corporation I assigned my interest in that contract and amendment.

Now, therefore, I consent and agree to waive any and all advantages accruing to me individually under said contract and amendment; and I consent and agree that, for the purpose of simplifying and more fully explaining the said contract and amendment, I will waive any and all advantages accruing to me under said contract and amendment, and release the said Commissioner and Assistant Commissioners, and the State of Iowa, from all liability to me individually in any manner there

under; and I consent and desire that said Commissioners shall enter into an agreement directly with the Des Moines Navigation and Rail Road Company, aforesaid, for the prosecution of the work substantially in the manner contemplated by the contract of the 17th December, 1853, and the amendment of April 18th, 1854, made with myself individually.

In witness whereof, I set my hand this 8th day of June, 1854, at the town of Keosauqua, in Iowa.

Signed, HENRY O'REILLY.

B.

Articles of agreement made and entered into this ninth day of June, 1854, by and between the Desmoines Navigation and Rail Road Company, a corporation formed under the laws of the State of Iowa, party of the first part, and the State of Iowa, by Josiah H. Bonney, Commissioner of the Desmoines river improvement, by and with the consent and approval of Uriah Biggs and George G. Wright, Assistant Commissioners, in the State of Iowa, for, and in behalf of the State of Iowa, party of the second part;

WITNESSETH:

That, whereas, the Commissioners before named, have heretofore entered into an agreement with Henry O'Reilly, bearing date the 17th day of December, eighteen hundred and fifty-three, and an additional and explanatory agreement, dated April 18th, 1854, for the completion of the Desmoines river improvement; and which said agreements, contracts, and all rights of said Henry O'Reilly, by and with the consent and approval of both parties thereto, have been assigned and transferred to, and for the benefit of the Desmoines Navigation and Rail Road Company; and in pursuance of a stipulation of the said party of the second part, made simultaneously with said agreements, and to carry the same fully into effect.

The said parties, for the purpose of simplifying and more fully explaining the said contracts and agreements, the said Desmoines Navigation and Rail Road Company, of the first part, and the said Josiah H. Bonney, Commissioner, with the consent and approval of Uriah Biggs and George G. Wright

Assistant Commissioners, of the second part, hereby enter into the following

AGREEMENT.

First—The said party of the first part, doth hereby covenant and agree, to and with the party of the second part, for considerations hereinafter named, to make and finish the Des Moines river improvement, from the Mississippi river, to Raccoon Forks, on said Desmoines river. The said improvement to be made according to the plan and specifications of the engineer of said improvement, heretofore made and determined upon, as to style, character and quality of work, from the town of St. Francisville, on said river, to said Raccoon Forks, except that the said party of the first part, may improve the style and character of the work, and enlarge the size of the locks, as hereinafter provided; and so far as relates to the said work below the said town of St. Francisville, the same shall be done and completed upon such plan as may be determined upon by the engineer employed on said work, in connection with Wm. J. McAlpine, late State engineer of the State of New York, as consulting engineer, or such other consulting engineer, as the said party of the first part shall select for that purpose; provided that all said work shall be done and completed in a substantial manner, so as to secure the navigation of said river to the fullest extent, and for the longest period each year, practicable; and provided further, that the said party of the first part, shall not be required to expend below the said town of St. Francisville, in said improvement, more than the sum of three hundred thousand dollars; and provided also, that during the progress of the work, the said party of the first part, their successors or representatives, by and with the consent of the engineer in charge of the work, may alter or change the plan and character of the work, or locations of either of the locks, dams,

or canals, or all of them, or any part thereof; Provided no change shall be made authorizing an inferior kind of work, or the use of less valuable materials, or lessening the capacity of said locks, or of any piece of canal necessary for the use of any of said locks, or diminishing in usefulness or value, the said general improvement; and in case of any disagreement between the engineer in charge of said work, and the party of the first part, or their successors, in reference to the proposed sites, or locations, or modes of constructing the locks, dams or otherwise, the matters in difference, shall be submitted for arbitration to a consulting engineer, or other person to be agreed upon by both parties to this contract, whose decision upon the points submitted, shall be conclusive upon all parties.

SECOND—The said party of the first part, further agrees to and with the party of the second part, to complete all said work from the river Mississippi, to said Raccoon Forks, on or before the first day of July, 1858: and in like manner undertakes and covenants, to complete at least one fourth part of said work each and every year, commencing on the first day of July, 1854.

THIRD—The said party of the first part, doth further covenant and agree with the said party of the second part, to pay and discharge any and all debts of every kind and description, outstanding against the said Desmoines river improvement, on the 23d day of December last, within ninety days from the date of this contract; Provided that the whole amount of said debts shall not exceed the sum of sixty thousand dollars; And to meet and discharge said liabilities, the said Desmoines Navigation and Rail Road Company have deposited with, and paid over to the said Josiah H. Bonney, Commissioner, the sum of fifty-five thouand dollars; and it is hereby agreed, that the said party of the first part, shall have and is hereby entitled to all moneys due and owing to the said improvement, from the General Government, and all claims and demands against the said

General Government, and all sums of money due from any other source, as also all sums of money now in the hands of said Register, or that were in his hands on the 17th day of December last, or that may have been received by him, or have been in his hands on account of said improvement, at any time since the said 17th day of December, 1853; and the said sums of money in the said Register's hands, on the said 17th day of December, or that may have been in his hands at any time since, may be applied to the payment of any portions of the above named debts, or for any debts incurred since the 17th day of December, in prosecuting the said improvement, and shall be, by the said Register, accounted for, to the said Desmoines Navigation and Rail Road Company.

FOURTH—All claims by mill owners, or other persons, for damages, or rights of way, or other necessary privileges in the prosecution of said work, as well as all other claims for damages, shall be settled for, by the said party of the first part, and on such terms as they may deem best; and the title to all such rights of way so procured, shall be taken and vest in the State of Iowa, subject to the rights of the party of the first part therein, as in this contract mentioned; and all work now progressing under contracts existing on the said seventeenth day of December last, at the dams and locks al Belfast, Farmington and Keosauqua, shall progress and be carried on under and according to the terms of the respective contracts then existing in relation thereto, if the said contractors shall so elect, and shall be paid for, by the said party of the first part, on the estimates made by the engineer from time to time.

FIFTH—The said party of the first part, doth hereby further agree and covenant, that the salaries of the Commissioner and Register, of said improvement, and the salaries of the Engineer, and such assistants as may be required in the prosecution of said work, shall by them be paid from time to time, as the same shall become due and payable; provided, that the salaries of the

Commissioner and Register of said improvement, shall not be greater than that now fixed by law, and the salaries of the engineer and assistants, shall be such as may be agreed upon by said Commissioner, by and with the advice and consent of the party of the first part.

SIXTH—The said party of the first part, further agrees and covenants, that in all cases where bona fide settlement was made on any of the lands belonging to said improvement, which were unsurveyed on the 24th day of January, 1853, the settlers on said lands so unsurveyed, shall have the right to purchase at any time within one year, after said lands are surveyed: their said lands, under the rules and regulations established by the Commissioner and Register, at the rate of one dollar and twenty-five cents per acre; but no such settler or claimant shall be entitled so to purchase, more than one hundred and sixty acres.

SEVENTH—The said improvement shall be prosecuted in such manner as not to unnecessarily impede the navigation of said river, during the construction of said work; but in all cases the locks shall be constructed and finished, so as to allow the passage of boats and other water crafts, before any material obstructions shall be created by the erection of dams.

EIGHTH—The said party of the second part, on their part, hereby covenants and agrees, with the said party of the first part, to sell and convey to the said party of the first part, in manner, and upon the terms hereinafter provided, all of the lands donated to the State of Iowa, for the improvement of the Desmoines river, by act of Congress, of August 8th, 1846, which the said party of the second part, had not sold up to the 23d day of December, 1853; for which said lands, the said party of the first part covenants and agrees, in manner and form, as fixed by this agreement, to pay the sum of thirteen hundred thousand dollars.

NINTH—The said party of the second part, hereby transfe

and assign to, and hereby invest in, the said party of the first part, any and all stone, timber, and all other materials of every kind and description, belonging to said improvement, now remaining along the line of said work, or elsewhere, and hereby give said party of the first part, full power and authority to use and control the same as they may deem proper, in connection with said improvement.

TENTH—The said party of the second part, further covenants and agrees, that the parties of the first part, their successors and assigns, shall, from the date hereof, have full possession and control of all locks and dams now completed, and shall from time to time, as each lock and dam is completed, have the control and possession thereof; and when the whole work is completed, shall have the entire and exclusive possession and control thereof, for forty years from the first day of July, 1858, and shall from this date have the right to control and receive as herein provided, all tolls and water rents, accruing from said improvement, and to make such contract, or contracts, or agreements, and fix such rates in relation thereto, as they may deem proper; Provided always, that this grant of said tolls and water rents, is made subject to the following express conditions:

1st. That the tolls to be taken and received by the said party of the first part, shall in no event exceed the rates of tolls allowed and chargeable on the Monongahela improvement in the State of Pennsylvania, on the 5th day of February, 1851.

2d. All contracts now outstanding, between the Commissioner and Register, or either of them, with reference to the water rents, with any individual or individuals, shall be carried out by the said party of the first part. And nothing herein contained shall be so construed as to interfere with said contracts; but the money arising therefrom shall belong to, and become the property of the said party of the first part,

in the same manner as all other water rents, as fixed by this contract.

3d. All moneys arising from said tolls and water rents, on the entire work, after deducting the necessary contingent expenses attending the superintendence of the locks, and the collection of said rents and tells, and the repairs of said works during the time fixed for the completion of said works, shall be reported to the Register of the Desmoines river improvement, semi-annually, and shall be expended by the said parties of the first part, in said improvement; but such sums shall not be taken into the estimates upon which lands are to be transferred to the party of the first part, but shall constitute a portion of the one million three hundred thousand dollars, to be expended by the party of the first part, and of the aggregate sum expended by the party of the first part in said improvement.

4th. At the expiration of said forty years, the said works shall revert to, and become the property of the State of Iowa, and shall be in ordinary repair for their respective uses.

ELEVENTH—The said party of the second part, hereby covenants and agrees, that whenever the said party of the first part, shall have done work to the amount of thirty thousand dollars, according to estimates, to be made by the acting engineer under the scale of prices fixed in this contract, the said party of the second part, or the then proper agent or officer, or officers of the State, shall transfer and convey to the said party of the first, or to the then Register of said improvement, or such other person as the party of the first part may direct, an amount in value of the lands belonging to said improvement, valued at one dollar and twenty five tents per acre, to the amount of said thirty thousand dollars, deducting fifteen per cent, and so on, in the same manner, on each estimate of thirty thousand dollars, until work shall be done to the amount of thirteen hundred thousand dollars, if so much

land shall remain unsold from and after the said 23d day of December, A. D. 1853, or until said work shall be completed. And upon the expenditure of said thirteen hundred thousand dollars, or the completion of said works, all of said lands remaining unconveyed, if any, shall be transferred and conveyed to the said party of the first part, or their assigns, or to such person or persons as they shall direct. And all moneys paid by the party of the first part, to the Register of the Desmoines river improvement, or to the Commis'r thereof, in payment of the liabilities resulting from the former prosecution of the work, by the State of Iowa, shall, without requiring any estimate to be made thereof by the engineer, be deemed to be a portion of the sums expended in the said improvement, by the said party of the first part. And the said Register shall convey to the party of the first part, or such person or persons as they shall designate, a quantity of land estimated at one dollar and twenty-five cents per acre, equal to the amount of cash thus paid; and the said sums thus paid, shall form part of the thirteen hundred thousand dollars mentioned in this contract.

Twelfth—For the purpose of determining the lands which the said party of the first part, shall have the right to select on estimates made, as contemplated by the last section, it is agreed that within a reasonable time after concluding this contract, the said party of the first part, shall have all the unsold lands in this contract mentioned, divided into three classes, according to value, and thereafter they shall take one third of such amounts, as they may, from time to time, be entitled to, from each class. And for all moneys expended until such classification, they shall have the right to take said lands, as they remain unsold, commencing with the lands lowest down on the river, making no distinction in quality or value. And for the purpose of classifying said lands, unless a Commissioner is mutually agreed upon, each party may

choose or select a Commissioner, who shall mutually agree upon such classification. And in case of disagreement, the said two Commissioners shall select a third, and the decision of a majority shall be conclusive. The expenses of said Commission shall be defrayed by the party of the first part; and the records of such classification duly certified by the said Commissioners, or a majority of them, shall be filed with the Register of the Desmoines improvement, for reference by, and government of, both parties under this contract. The River Land Office, for the sale of lands belonging to the Des Moines improvement, having in accordance with the contract with Henry O'Reilly, heretofore referred to, been closed on the 23d day of December last, the said office shall remain closed for the entry or sale of lands, excepting by the direction of the party of the first part.

THIRTEENTH—It is understood and agreed between the said parties, that in the conveyance of lands as contemplated by this contract, all moneys advanced by said parties of the first part, for salaries and pay of officers, or agents, or servants, for rights of way, damages to mill owners, and other matters not covered by actual works done on the improvement, shall be included in making estimates; but the moneys that were in the hands of the Register, on the 17th day of December last, and the value of the materials on hand, (which shall be used) shall not be included for estimates.

FOURTEENTH—And it is also agreed and covenanted, between the parties hereto, that the following shall be the prices for the different items of work mentioned, upon which the engineer is to make his estimates, and by which the parties are to be governed in the conveyance of land, and other purposes contemplated by this agreement; adding twenty per centum to the aggregate amount of all estimates, to cover all contingencies, to wit:

Preparing lock foundation, $3,000.

Masonry in ock walls, $5 per perch.
Masonry in side walls, $3,50 per perch.
Hydraulic cement, $3 per barrel.
Lock gates and all fixtures, $2,500.
Square timber, 14 cents per foot.
Oak plank, $2,25 per hundred feet, board measure.
Crib-filling in dams and abutments, $1 per perch.
Stone protection rip-rap, $1,15 per perch.
Embankments around locks, 20 cents per yard.

Excavation on canals, when the dirt is wasted, 20 cents per yard; when the dirt is used in embankments, 15 cents per yard for the excavation, and 15 cents per yard for the embankment.

Excavation of rock under water, $2 per perch.
Excavation of rock above water, $1 per perch.
Iron bolts, spikes, and other irons, 8 cents per pound.
Round timber, 11 cents per foot.

Excavations for foundations, 40 cents per yard, and all other items not embraced and enumerated above, shall be rated according to the estimates of the engineer in charge. The engineer or engineers in charge of said work, shall, from time to time, as shall be found convenient, be appointed by the joint assent of both parties hereto.

FIFTEENTH—All the work on said improvement, during the progress thereof, shall be and remain under the general supervision of the Board of Public Works and engineers, except as herein modified; and all works, as far as practicable, shall be so conducted as to perfect the navigation in a continuous line, from the mouth of the river upwards, to Fort Des Moines.

SIXTEENTH—That, for the purpose of providing more effectually for securing the improvement of the Des Moines river, to the greatest practicable extent, and at the earliest practicable period, the party of the first part, shall have the right to such tolls and water-rents as they can collect on the river above Ft.

Des Moines, for a similar period to that provided for the use of the river, below Fort Desmoines, under this contract; provided, they shall, within eight years, at their own expense, improve the river, so as to render it navigable for boats of at least 200 tons burthen, to the Lizzard Forks, or Fort Dodge, or such other point above Fort Desmoines, as they may find it practicable; provided further, that no higher average of tolls shall be charged on vessels or rafts, or articles transported, than the maximum allowed on the section of the river between the Mississippi river and Fort Desmoines; and, provided also, that at the end of said period in this section first named, the improvement on said upper region of the river, above Fort Desmoines, shall be surrendered to and become the property of the people of the State of Iowa, upon the payment to the party of the first part, or their successors, of such sum as the said improvement may be worth at the time, as determined by appraisers, to be mutually agreed upon.

SEVENTEENTH—The same right which is now, or may hereafter be given by law, to this said Board of Public Works, to condemn lands in procuring right of way for the location of dams, locks, water-power, and canals, shall be, and is hereby given to the party of the first part; and in procuring the same, they may, if necessary, use the name of the said Board of Public Works, or that of the State; and the Board shall assist therein, in accordance with the general spirit of the contract.

EIGHTEENTH—The said party of the first part, hereby covenants and agrees, that the State shall not be liable to them in his contract, but will look alone to the funds belonging to, and arising from the said improvement, for compensation as hereinbefore mentioned; and the said party of the second part does hereby agree, that the indebtedness named in the third section of this contract, shall exceed the sum of sixty thousand dollars, the time for the use of said improvement by said company, shall be extended one year beyond the time named in the tenth

section of this contract, to wit: the first day of July, in the year 1899, (eighteen hundred and ninety-nine.)

NINETEENTH—The fifteen per cent. raised in the conveyance of land, by section eleventh, of this contract, shall be esteemed and taken as a part of the thirteen hundred thousand dollars, agreed to be paid by the said party of the first part, in this agreement.

In witness whereof, the parties of the first part, by their President and Secretary, have hereunto subscribed their names and placed their corporate seal; and the party of the second part, by the Commissioners aforesaid, have also affixed their names and seals, the day and year aforesaid.

Official seal of the Desmoines Nav. & R. R. Com'y.

ORVILLE CLARK,
President.

HENRY O'REILLY,
Secretary of Desmoines Navigation & R. R. Company.

JOSIAH H. BONNEY, { seal. }

Commissioner of Desmoines river Improvement.

URIAH BIGGS, { seal. }

GEO. G. WRIGHT, { seal. }

[C.]

SUPPLEMENTAL AGREEMENT.

WHEREAS, by the foregoing agreement, bearing date the 9th day of June, instant, the Desmoines Navigation and Rail Road Company, of the one part, and the State of Iowa, by Josiah H. Bonney, Commissioner of the Desmoines river improvement, by and with the consent and approval of Uriah Biggs and George G. Wright, Assistant Commissioners of the said improvement, of the other part, have contracted and provided for the completion of the said improvement, from the mouth of said Desmoines river to the Raccoon Fork, on the terms and according to the plans and specifications in the said contract provided; and it being deemed desirable to enlarge the said locks, and the capacity of such canals, as may be built in the prosecuting said improvement, under said agreement:

Now, therefore, this additional and suplementary agreement, Witnesseth;

That the said Desmoines Navigation and Rail Road Company, of the first part, for and in consideration of the covenants herein contained, do covenant and agree with the State of Iowa, by the Commissioner and Assistant Commissioners, herein before mentioned, to build the said locks provided to be built in the said agreement of the ninth of June, instant, two hundred feet long, in the same proportion that the present locks and

plans provide for their being one hundred and seventy-five feet long; and that they shall be so constructd as to secure four and one half feet of water, on the lower mitre sill, and to secure a navigation of at least four and a half feet of water. And the canals shall be so constructed, as to give at least four and a half feet of water, with suitable dimensions for boats or vessels navigating the same. with such depth of water at the locks and in the canals: and in all other respects, the said work is to be done under and in pursuance of the terms and conditions of the said contract of the ninth of June, instant:

And the said party of the second part, the said State of Iowa, by the Commissioner and Assistant Commissioners, aforesaid, do covenant and agree with the party of the first part, that the said party of the first part, shall have and enjoy the said work, its use, rights and privileges, its tolls, water-rents, and franchises, for the term of sixty years, from the first day of July, 1858, fully and absolutely, as is provided in the said agreement of the ninth of June, instant, for forty years; and on the same terms therein provided; saving and excepting that, from and after the first day of July, (1913) one thousand nine hundred and thirteen, until the first day of July, (1918), one thousand nine hundred and eighteen, the said party of the first part, shall pay into the Treasury of the State of Iowa, seven per centum of the nett amount of the tolls and water-rents received on the said improvement, from the said Raccoon Fork, to the mouth of the said Desmoines river, after deducting all expenses of repairs, superintendance and other proper charges.

In testimony whereof, the said party of the first part, by their President and Secretary, have hereunto subscribed their names, and affixed their corporate seal; and the party of the second part, by the Commissioners aforesaid, have subscribed.

their names and affixed their seals, this ninth day of June, 1845, (one thousand eight hundred and fifty four.

Official seal of the Desmoimoines Nav. & R. R. Com'y.

ORVILLE CLARK,
Presiden.

HENRY O'REILLY,
Secretary of the Desmoines Navigation and Rail Road Company.

JOSIAH H. BONNEY, { seal. }
Commissioner, &c.

URIAH BIGGS, { seal. }

GEORGE G. WRIGHT, { seal. }

[D.]

Agreement between the State of Iowa, by the Commissioner and Assistant Commissioners, and the Desmoines Navigation and Rail Road Company.

Whereas, a misapprehension has mutually existed, by and between the Commissioner and Assistant Commissioners of the Desmoines River Improvement, and the Desmoines Navigation and Rail Road Company, in reference to the amount of unsold land belonging to said improvement, situate below Fort Dodge, or the Lizzard's Fork; and the agreements between the State of Iowa, by said Commis'r, and the said Desmoines Navigation and Rail Road Company, bearing date the ninth day of June, 1854, for the improvement of the Desmoines river, was made and executed under a misapprehension of the said amount of lands; Now, therefore, to secure the object of said agreements of the ninth of June aforesaid, and for a valuable consideration received, it is hereby expressly covenanted and agreed, by the said State of Iowa, by the Commissioner and Assistant Commissioners aforesaid, or a majority of them, that in case the said Desmoines Navigation and Rail Road Company, shall within two months from this date, give notice to the Commissioner, aforesaid, that they will carry out the work of the said improvement, as contemplated and provided by the supplemental contract of the ninth of June last, that the State of Iowa, by the said Commissioner and Assistant Commissioners, or a majority of them, will enter into good, legal and valid agreement

in such form and manner, as to bind the said State of Iowa, with the said Desmoines Navigation and Rail Road Company, to give to said Company the full and absolute right to, and use of the said work, its lands and appurtenances, franchises, and water-rents, and tolls, for the full term and time of seventy-five years, from the first day of July, 1858, as fully as is provided in the said first or principal agreement, of the said ninth day of June, instant.

And it is also agreed that the said Desmoines Navigation and Rail Road Company, shall have the right to build, in connection with any dams they may make, and bridges across and over the said Desmoines river, and, with proper legal authority or consent, demand and receive tolls for crossing the same.

Provided, this agreement shall not be construed to avoid or legalize the first contract of the ninth of June, instant.

In witness whereof we have hereunto set our hands and seals, for and in behalf of the State of Iowa, this twenty-ninth day of June, 1854.

Signed,

JOSIAH H. BONNEY, { seal }

URIAH BIGGS, { seal. }

Assistant Commissioner.

Copy of letters of correspondence of Public Works requesting opinion.

CLAIM OF CHANCELLOR WALWORTH.

WASHINGTON CITY, Sept. 13, 1851.

HON. R. H. WALWORTH,

SIR:

An act of Congress, approved August 8, 1846, made a grant of lands to the then territory of Iowa, to aid in improving the navigation of the Des Moines river, the first section of which act is in these words:

"Be it enacted, &c." "That there be and hereby is, granted to the Territory of Iowa, for the purpose of aiding said Territory to improve the navigation of the Des Moines river, from its mouth to the Raccoon Fork, (so called,) in said Territory, one equal moiety, in alternate sections, of the public lands, (remaining unsold, and not otherwise disposed of, encumbered or appropriated,) in a strip five miles in width on each side of said river; to be selected within said Territory, by an agent or agents, to be appointed by the Governor thereof, subject to the approval of the Secretary of the Treasury of the United States."

Will you oblige me with your opinion in writing? First, as to the object and extent of the grant made by the above section? Does not the grant embrace the lands on each side of the river, from its source to its mouth?

Second, In making selections under this grant, the authorities of the State of Iowa, in December, 1846, selected the sections bearing odd numbers, 1, 3, 5, &c. as most advantageous,

because, if selected by even numbers, 2, 4, 6, &c. the State would be deprived of the 16th section, which is by law reserved for schools.

This selection of odd numbers by the State, was subsequently, on the 13th of July, 1848, approved by the Secretary of the Treasury, in his letter of that date to the Commissioner of the General Land Office, and on this the question arises, Did not such selection, and approval by the Secretary of the Treasury, dispose of the whole question of selection and approval, so far as was contemplated by the act; as the order of selection could not be changed from odd to even numbers, and comply with the law, which says expressly, "one equal moiety, in alternate sections."

Third. The question having been raised, as to the extent of the grant above referred to, the Commissioner of the General Land Office, in a letter under date of February 23d, 1848, addressed to the Secretary of the Board of Public Works of Iowa; being the first communication received from the Commissioner by the Board, after its organization, to enter upon the work of the Desmoines improvement, decided that "the State is entitled to the alternate section within five miles of the Desmoines river, throughout the whole extent of that river, within the limits of Iowa."

No work had been done, nor any contract let, on said Desmoines improvement prior to the receipt, by the Board, of this letter of February 23d, 1848, from the Commissioner of the General Land Office; but shortly thereafter, and in conformity with the construction placed upon the law by that letter, the Board of Public Works of Iowa, contracted for the completion of a large portion of said improvement; and the contractors were to look solely to the moneys arising from the sales of lands under this grant for their pay.

On the second of March, 1849, the Secretary of the Treasury, having been addressed upon the subject, by the delegation

in Congress from Iowa, decided in his letter to those gentlemen, of that date, "that the grant in question extends on both sides of the river Desmoines, from its soure to its mouth, but not into lands on the river in the State of Missouri, and on the same day advised the Commissioner of the General Land Office thereof, in writing, for his information and government on the subject to which it refers."

Now, should and did not, the decision of the Commissioner of the General Land Office, in his letter above referred to, of Feb. 23d, 1847; the action of the authorities of Iowa, in accordance therewith; and the decision of the Secretary of the Treasury; stamped as such, beyond a question, by his letter to the Commissioner of the same date, for the "government" of the conduct of that officer in the matter, of 2d March, 1849, settle the whole question, as to the extent of the grant, and place it beyond the revocation of the successors in office of the said Secretary of the Treasury?

I am, sir, very respectfully,
Your obedient servant,
V. P. VAN ANTWERP.
Commissioner of Public Works of Iowa.

CHANCELLOR WALWORTH'S REPLY.

SARATOGA SPRINGS, March 14th, 1854.

DEAR SIR:

In September, 1851, I received a letter dated at Washington, on the sixth of that month, and purporting to be signed by Bangs, Brothers & Co., giving me a copy of the first section of the act of the 8th of August, 1846, granting lands to Iowa, to improve the Desmoines river, and requesting my opinon as to the extent of the grant. I had heard of a firm of Brokers in the city of New York, of that name, and supposed the letter was written by a member of that firm, as I had heard of no other of the name. But the statement of the question was so imperfect, that I could not venture to give them an opinion, without knowing what question had in fact arisen under the act. I was about to write to them for further particulars, when I received a communication of the 13th of September, 1851, from General Van Antwerp, as the Commissioner of internal improvements, of the State of Iowa, a copy of which is herewith sent you. This was accompanied by a letter of the same date, signed Bangs, Brothers & Co., stating, that since they wrote, new questions had arisen; and upon consultation it had been thought best that he should send me an official communication on the subject.

I immediately, upon the receipt of General Van Antwerp's request, commenced examining the case, and had nearly completed my written opinion thereon, when I received a letter dated at New York, of which the following is a copy.

"NEW YORK, Sept, 22d, 1851.

"SIR:

"You have undoubtedly received by due course of mail, a letter from General Van Antwerp, dated at Washington,

asking your opinion as to certain law points. It is very important that he should receive your opinion by, at the latest, next Monday. We have the opinions of Col. Benton, Judge Bronson, R. J. Walker, Reverdy Johnson and others, and only wait yours. Please address your letter to General Van Antwerp, Washington.

I am, sir, very respectfully yours,

ANSON BANGS,

Agent for State of Iowa."

Hon. R. H. WALWORTH, Saratoga Springs.

The opinion was completed on the 25th of September, and sent to General Van Antwerp; stating to him that my charge for the opinion would be $250. In that opinion I had suggested the course which I thought the agents of the State of Iowa ought to pursue, in case the final decision of the Secretary of the Interior should be adverse to the claim of the State. In consequence of this suggestion, Gen. Van Antwerp returned the opinion to me, with a request that I would rewrite it, leaving out that suggestion; for reasons which he explained to me in a private and confidential letter. I accordingly rewrote the opinion and returned it to him immediately; and it was then laid before the Secretary of the Interior. And the decision was subsequently made by him reversing the decision of his predecessor, and sanctioning the claim as made by the State, and in conformity with my opinion.

Not having received my fee, and learning that General Van Antwerp was no longer at Washington, and having received a paper published at Keokuk, containing the final decision of the Secretary of the Interior, in favor of the claim of the State, and also a copy of my opinion on the question, I wrote to Bangs, Brothers & Co., at New York, in relation to my fee; and also another on the subject directed to them at Washington City. In answer to the first, I received a let-

ter from Bangs, Brothers & Co., of New York, saying they had no knowledge of the matters to which it referred.

On the 19th of December, 1851, I wrote to Gen. Van Antwerp at Keokuk, enclosing a copy of these letters, and a day or two after I received a letter, dated at Washington, the 16th of December, as follows:

"Dear sir—Funds from Iowa will be received in a few days to pay you. I am, sir, very respectfully yours,

ANSON BANGS."

HON. R. R. WALWORTH, Saratoga Springs, N. Y."

In January, 1852, I received from Gen. Van Antwerp, a letter dated the 12th of that month, at Keokuk, acknowledging the receipt of my letter of the 17th of December, with its enclosures; expressing surprise that my fee had not been paid by Anson Bangs, long since; and stating also that it was at his suggestion counsel was employed in the case; and that he volunteered to pay all expenses of that sort that might be incurred; and that before the General left Washington, in October, Bangs assured him that the counsel fees would be paid without delay, and he supposed it had been done of course; that Anson Bangs was then in New York, and he would write him by the same mail, and that he would undoubtedly immediately pay me.

Having heard nothing further from Bangs, I again wrote Gen. Van Antwerp, on the subject, on the 11th December, 1852. His answer dated at Keokuk, on the 26th of January, 1853, suggested that I should sue Bangs, Brothers & Co., and if I could not collect it from them, the State would undoubtedly pay me. I have not, however, been able to find any such firm as Bangs, Brothers & Co., except the one in New York, or to get any answer from Anson Bangs, admitting his liability to pay me. And I have no evidence upon which I could sustain a personal claim against him. If he has made a valid agreement with the Commissioner of Internal Improvements, by which he is liable to pay these expenses, the State should com-

pel him to perform his engagements; and it should pay me without further trouble, for my services of which it has had the benefit.

Will you, dear sir, have the goodness to write to the Governor on the subject, and endeavor to have the matter put in such a form as that I may receive my pay.

Yours with respect,

REUBEN H. WALWORTH.

Hon. A. C. DODGE, U. S. Senator from Iowa.

P. S. I have also written to Gen. Van. Antwerp again on the subject, within a few days past.

REPORT

OF THE

Saline Land Agent

OF THE

State of Iowa.

IOWA CITY:
M. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

SALINE REPORT.

To the Hon. S. Hempstead, Gov. of Iowa;

Sir: In pursuance of, and in obedience to an appointment of your Excellency, as Saline Agent, I beg leave to make the following report, which will complete the selections with the exception of one section in the land District west of this, and contiguous to spring No. 8.

Selections contiguous to spring No. 1.

	Sec.	T.	R.
	1	69	17
	2	"	"
	22	70	"
	23	"	"
	26	"	"

Excepting E. ½, S. W. ¼, which has been rejected. I supply it with E. ½ of N. E. ¼ of Sec. 13, T. 70. R. 17.

Selections contiguous to spring No. 2.

	20	70	16
	21	"	"
	22	"	"
	35	"	17
W. ½,	10	"	"
N. E. ¼	10	"	"
S. E. ¼	9	"	"

In lieu of section 29, T. 70 R. 16, heretofore rejected, because selected twice.

Spring No. 3.

Selections supplying parts of sections that have been either rejected or selected heretofore to spring No. 3, in lieu of S. E. ¼ of S. E. ¼ Sec. 2, T. 70, R. 17. I have selected S. E. ¼ of S. E. ¼ of Sec. 3, T. 70, R. 17, and in lieu of S. E. ¼ of S. W. and W. ½ S. E. ¼ and N. E. ½ of S. E. ¼ of Sec. 35, T. 71, R. 17, we select the N. W. ¼ Sec. 23 T. 70 R. 16.

Spring No. 4, as in case of No. 3, portions of contiguous lands, having either been suspended or rejected:

In lieu of N. E. ¼ of S. E. ¼ and N. W. ¼ of S. W. ¼ Sec. 31, T. 70, R. 16, I selected E. ½ of N. E. ¼ of Sec. 12, T. 69, R. 17, and in lieu of N. ½ of S. E. ¼, and N. ½, S. W. ¼ of Sec. 29, T. 70, R. 16, I selected S. ½ S. W. ¼, and S. ½ S. E. ¼ of Sec. 19, T. 70, R. 16.

To this spring it appears that only four contiguous sections have ever been selected. I therefore make up that omission by selecting the N. E. qr. of Sec. 23, N. W. qr. Sec. 24, and S. ½ of Sec. 13, T. 70, R. 16.

I certify that the foregoing is a correct statement of Saline lands selected by me to supply deficiencies occasioned by rejections, suspensions and omissions.

Witness my hand,

J KISTER, Agent.

June 29th, A. D. 1854.

In selecting these lands it will be seen that I have selected over some lands that have been suspended until the stake could show them to be the nearest vacant lands, suitable as contemplated by the law for the purpose, to the particular spring for which they were selected. This I found would take a great amount of labor to do, if indeed it could ever be done. Consequently, I re-selected them, knowing that they are now the nearest suitable sections, to the respective springs and as whole sections were not to be had in a reasonable distance; in one or two instances, I have taken parts of sections to make a section to supply deficit, all of which is respectful-

ly submitted. Most, if not all, the lands that I have re-selected, have been sold by the State authorities, which makes very necessary that the selections of them now be approved by the General Government.

Very respectfully,

J. KISTER,

Saline Land Agent.

REPORT

OF THE

STATE TREASURER

OF IOWA.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

STATE TREASURER'S OFFICE, IOWA,
Iowa City, Nov. 10th, 1854.

To his Excellency, STEPHEN HEMPSTEAD, Gov. of Iowa:

SIR,—In accordance with the 68th section of the "Code of Iowa," I have the honor to communicate to you the following Report of the Finances, from the first day of November, 1852, up to the thirty-first day of October, 1854, both days inclusive, to wit:

Nov. 1, 1852, State revenue on hand,	$8,602 88	
The receipts, from the above date up to Oct. 31, 1854, were,	114,946 87	
Proceeds from the sale of the Saline Lands up to Oct. 31, 1854,	10,515 70	
Total amount of receipts,		$134,065 45
During the same period there has been paid out on Auditor's warrants,		118,542 90
Leaving balance in the treasury of		$15,522 55

The Legislature, at its last session, passed a law, entitled "An Act authorizing the Treasurer of State to collect certain money therein named," and in obedience thereto, I visited Washington City and collected from the United States $5,521 34, and placed the same in the State Treasury.

The same Legislature also passed a law appropriating $400 00 for the purpose of procuring a "fire and thief-proof salamander safe," for the use of the State Treasury, which has been purchased, and is now in this office.

All of which is respectfully submitted.

MARTIN L. MORRIS,
State Treasurer.

SPECI REPORT

'E

TREASURER OF STATE

TO THE

HOUSE OF REPRESENTATIVES

OF THE

State of Iowa

STATE TREASURER'S OFFICE,
IOWA, IOWA CITY, Jan. 2d, 1854.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

In obedience to a resolution of your *Honorable Body*, I herewith transmit for your inspection a detailed account of the financial condition of the State, for the last two fiscal years. For the particulars in relation to the various warrants redeemed at this office, I would most respectfully refer you to the Auditor of State.

Yours respectfully,

MARTIN L. MORRIS,

State Treasurer.

RECAPITULATION.

Nov. 1, 1852, State Revenue on hand, - -	$8,602 88
The Receipts from the above date up to October 31st, 1854, were - - - - - -	114,946 87
Proceeds from the sale of Saline Lands, up to October 31st, 1854, - - - - -	10,515 70
Total amount of receipts, - -	134,065 45
During the same period there has been paid out on Auditor's warrants, - - - -	118,542 90
Leaving balance in the Treasury of -	$15,522 55

State Bonds received into the State Treasury from Nov. 1st, 1852, up to November 1st, 1854.

1852. Nov.	1	Amount brot forward to Nov. 1. '52.	$8,051 60.
	9	Clayton county, Mr. Reed, Treasurer, by revenue for 1851.	551 29
Dec.	3	Madison co. J D Gathers-n by revenue	41 00
	8	Henry co. H M Snyder, Treas. by Rev. & Code.	150 00
		Davis co. Wm S Stewart, Treas. "	125 00
	9	Warren co. J Brinkell, "	46 00
	12	[illegible] co. Hiram Price, "	200 00
		Clinton co. J D Brown, "	81 00
		Iowa co. C C Sloan, "	50 00
		[illegible] co. W H [illegible], "	200 00
	15	[illegible] co. J J [illegible], "	54 47
	16	[illegible] co. J Dunlap, "	178 35
	17	[illegible] co. A T Parks, "	315 60
	22	[illegible] "	191 00
		[illegible] "	81 60
	23	[illegible] "	284 00
Jan. 1853	5	[illegible] "	1.25 00
	7	[illegible] "	600 00
	6	[illegible]	245 00
		[illegible] "	1.042 50
	14	[illegible] rev.	128 7
		[illegible]	22 51
		[illegible]	32 50
	17	[illegible] revenue.	150 73
		[illegible] "	700 00
	24	[illegible] "	173 99
		[illegible]	168 33
		[illegible] by rev.	1.350 65
	1[illegible]	[illegible]	1 5 50
		[illegible] rev.	265
		[illegible]	[illegible] 00
	11	[illegible] "	471 89
		[illegible] "	76 43
		[illegible] by revenue.	71 50
		Wapello co. J Feaney, "	1,600 00
		Appano[illegible] co. W W Gibson, "	300 00
		Jones co. T Buxton, "	700 00

1853.

Jan. 14 Delaware
15 Scott
Iowa
Lou
17 Van
Johns
Pa
Wa
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21
22
24 Je
27
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Feb. 7
23 Jeffe
Ge
Mar. 18 Dela
Apr. 8 Davi
Dal
19 Fra
May 2 Scot
9 Burton
25 Henry

1853.			
May 30	Des Moines co. C Mc[illegible],	by revenue,	2,980 75
	Monroe co. Mr Webb,	do	182 00
31	Washington co. W H Jenkins,	do	250 00
June 1	[illegible]erson co. S H Bradley,	do	525 19
	[illegible]ke co. A T Banks,	do	1,000 30
2	[illegible] co. S Workman,	do	700 30
	[illegible] co. Cook.	do	300 30
29	[illegible]yson co. Mr Reed,	do	1,603 00
29	[illegible] co. J Webb,	do	5 00
July 1	[illegible]ke co. A T Banks,	do	140 00
13	[illegible] co. H Williams	do	549 50
Aug. 2	[illegible] co. W L [illegible]ers,	do	25 00
11	[illegible] co. [illegible]rland.	do	3,231 16
	[illegible] co. [illegible] Newhall,	do	98 41
22	[illegible] co. [illegible].	do	594 30
25	[illegible] co. [illegible].	do	362 94
	[illegible] co. M O'Brien,	do	625 10
	[illegible] co. I I Shaw.	do	337 82
30	[illegible] co. A T Banks,	do	7 00
	[illegible] co. W Feldenkin,	do	13 62
Sept. 1	[illegible] co. S Bradley,	do	87 16
	[illegible] co. C [illegible]yer,	do	100 00
	[illegible] co. H T Smith,	do	293 70
	[illegible] co. W Hilgs,	do	201 53
	[illegible] co. I Perry.	do	1,331 50
	[illegible] co. H H Sander.	do	659 86
2	[illegible] co. [illegible],	do	145 22
	[illegible] co. C Palmerlee,	do	125 00
13	[illegible] co. H Packburn,	do	74 65
	[illegible] co. D Ferris,	do	251 00
	[illegible] co. Geo Cr[illegible]r,	do	59 06
15	[illegible] co. Geo. Parker,	do	1,537 08
17	[illegible] co. [illegible].	do	243 18
	[illegible] co. Mary Rodgers.	do	59 50
26	[illegible] co. W H Jenkins,	do	166 80
Oct. 1	[illegible] co. S Bradley,	do	418 77
	[illegible] co. I C Betts,	do	99 78
	[illegible] co. W S Seven,	do	837 53
2	[illegible] co. J J Singleton,	do	100 00
Dec. 5	[illegible] co. [illegible] Price,	do	539 34

1853.			
Dec. 10	Desmoines co. C Medary, Tr. by rev.	1853,	502 50
28	Iowa co. Robert M'Kee, Tr. by revenue,		4 32
	Keokuk co. H S Smith,	do	2 80
	Marion co. D Stanfield,	do	700 00
1854.			
Jan. 5	Tama co. John Ross.	do	37 95
7	Polk co. S Gray,	do	800 00
	Mahaska co. H Blackburn,	do	1,995 95
	Van Buren co. T Rankin,	do	1,700 00
	Pottawatamie co. ——	do	100 00
9	Fremont co. J J Singleton,	do	115 15
	[illegible] co. John Zieger,	do	35 30
	Decatur co. J Jordon,	do	80 00
	Davis co. W S Stevens,	do	261 85
	Clayton co. S L Peck,	do	1,900 00
	[illegible]erson co. H P Warren,	do	692 20
	[illegible]ange co. J W[illegible],	do	500 00
	[illegible]ton co. M O'Brien,	do	1,600 00
	[illegible]yette co. E C Byron,	do	175 00
	Buchanan co. John Leslie,	do	148 00
	[illegible] co. J J Linder,	do	500 00
	[illegible]nce co. F Overstreet,	do	215 00
	[illegible] co. S W Welch,	do	140 00
	[illegible] co. J Dana,	do	165 78
	[illegible] co. W W Wilson,	do	845 55
11	[illegible]ttawattamie co. W D Tenbar,	do	38 40
	[illegible]. I W Hays,	do	200 00
	[illegible]on co. W R Robinson,	do	275 00
	[illegible] co. I T Smith,	do	600 00
	[illegible] co. John Kellman,	do	25 80
16	[illegible] co. W S Viney,	do	550 00
	[illegible] co. S B Gardner,	do	1,810 83
	[illegible] co. Geo Brinkerhoff,	do	250 00
	Clarke co.	do	130 00
	Blackhawk co. A Dow,	do	70 00
	[illegible] co. C McKee,	do	51 19
	Muscatine co. A T Banks,	do	1,709 00
17	Iowa co. R McKee,	do	202 60
	Hardin co. S Smith.	do	51 00
18	Delaware co. Z A Wellman,	do	458 00

1854.			
Jan. 18	Linn county, J Cook, Treas.	by revenue,	1,105 00
	Wayne co. G Gorman,	do	126 16
	Poweshiek co. H M Taylor,	do	193 96
	Marion co. D Stanfield,	do	2 55
19	Louisa co. I C Tucker,	do	1.091 00
	Jasper co. A C Ault,	do	315 00
	Clinton co. T F Butterfield,	do	505 00
	Marshal co. T E Collins,	do	110 00
	Wapello co. Mr. Pomroy,	do	761 59
24	Jackson co. I Pope,	do	1,248 13
	Washington co. W H Jenkins,	do	1,000 00
26	Marshal co. T E Collins,	do	7 50
27	Cedar co. J C Betts,	do	1,138 00
Feb. 2	Winneshiek co. T Hazlett,	do	180 00
8	Cedar co. J C Betts,	do	11 85
22	Dubuque co. M O'Brien,	do	400 00
	Alamakee co. Mr Shaw,	do	235 00
	Jones co. E. Buxton,	do	350 00
27	Benton co. W B Johnson,	do	240 3
	Lowa co. B Wilkes,	do	2 45
Mar. 13	Monroe co. J Webb,	do	8 70
16	Davis co. W Stephens,	do	900 00
	Cedar co. J C Betts,	do	150 00
20	Monroe co. J Webb,	do	100 00
Apr. 11	Davis co. W Stephens,	do	37 00
12	Louisa co. I C Tucker,	do	1 12 57
	Johnson co. [illegible]	do	300 00
20	Clinton co. T F Butterfield,	do	9 28
May [illegible]	[illegible]	do	1,014 18
[illegible]	[illegible]	do	3 76
[illegible]	[illegible]	do	95 00
2	[illegible]	do	6 92
23	[illegible]	do	2,000 00
June 6	Henry co. [illegible] Viney,	do	1,400 00
	Marion co. [illegible]	do	622 81
22	[illegible]	do	696 48
24	Dubuque co. [illegible]	do	500 00
	[illegible]	do	50 00
	Lucas co. [illegible]	do	50 00
	Clarke co. C C Samson,	do	22 20

			41 00
			86 80
			587 37
			41 00
			4 70
			310 00
			125 41
			10 00
			26 15
			968 09
			559 19
			2,157 06
			440 63
			16 58
			20 00
			376 02
			356 00
			11 50
			2,284 47
			151 00
			139 75
			143 80
			770 00
			1,100 00
			31 20
			973 36
			1,311
			490 00
			250 00
			150 00
			1,280 00
			1,354 75

The following is the amount received from the sale of Saline lands up to Nov. 1st 1854.

1853.		
Aug. 12	Lucas county, S D Huston, School fund commissioner, by funds,	$850 00
Nov. 23	Van Buren county, Mr. Wheeler, School fund commissioner, by funds,	469 00
28	Lucas county, S D Huston, School fund commissioner, by funds,	4,001 20
1854.		
Jan. 9	Monroe county, J N Massey, School fund commissioner, by funds,	25 00
	Appanoose county, J D Sparks, School fund commissioner, by funds,	1,950 00
12	Wayne county, D W Baker, School fund commissioner, by funds,	287 50
	Decatur county, H B Notson, School fund commissioner, by funds,	350 00
	Lucas county, S D Huston, School fund commissioner, by funds,	2,583 00
Mar. 21		10,515 70
	Warrants redeemed, deducted,	6,000 00
Nov. 1	Balance on hand,	[illegible] 70

WARRANTS REDEEMED.

1852. Date.	No.	Payee.	Amount.
Nov. 2	4847	Thos H Benton, jr.	100 00
	4846	J P Carleton,	250 00
	4833	Joseph Williams,	70 00
6	4848	T H Benton,	200 00
9	4850	N G Benton, Dep'y Librarian,	69 05
	4479	H D Evans,	59 95
13	4849	A Fry,	5 28
	4853	W S Walters,	19 20
	4851	L S Taylor,	4 00
	4854	Jas M Grew,	8 88
	4852	Lt Hester,	6 40
	4857	Saml Helmick,	7 20
	4860	J F Perkins,	16 00
	4859	I B Irum,	4 96
	4858	D P McDonald,	12 50
	4863	Levi Chandler,	20 80
	4866	Jas W Wilson,	10 25
	4862	S H McCarty,	25 60
	4861	S H Sawyer,	21 60
	4865	W J Hall,	20 80
	4864	E Ellis,	26 40
16	4872	T G Dripps.	29 80
	4873	W P Organ,	4 80
	4870	W M C[illegible]man,	12 50
	4876	R [illegible]fford,	48 00
	4878	I M Preston,	5 25
	4879	S W McArter,	16 00
	4881	I W. Penn,	12 00
	4883	S Barnes,	25 60
	4882	T C Hughes,	25 60
	4868	H H Still.	29 60
	4867	S W Sears,	14 40
	4874	Norman Sickett,	12 00
	4871	R Ashley,	14 40
	4877	W McCaffle,	48 00
	4874	H C Lacy,	17 00
	4869	A F Lyon,	20 00
	4892	D F Gaylard,	38 00

Continued.

1852.	Date.	No.	Payee.	Amount.
Nov.	16	4893	T G Given,	84 30
		4894	Warden & Daughm,	1 78
		4895	Gavin & Gillaspie,	10 45
		4896	George Bachel,	22 00
		4898	D F Gaylard,	12 80
		4899	J Leaman,	9 60
		4901	Wm White,	12 00
		4884	M Murringer,	28 05
		4887	David Smith,	8 00
		4888	W H Seevers,	250 00
	17	4900	W H Stephens,	49 60
		4896	do do	45 60
		4901	do do	51 10
		4902	A Huston,	22 00
		4898	S Russell,	12 80
		4897	W H Weatherly,	14 10
		4903	W C Thompson,	26 40
	20	4905	S F Kinney,	28 30
	29	4913	R. C. Lowe,	250 00
Dec.	3	4906	Wm Pattee,	150 00
		4907	W H Merritt,	41 13
	6	4915	I Kister,	100 00
		4909	G H Williams,	26 00
		4912	I Kister,	37 50
		4910	W E Leffingwell,	22 00
		4918	Thos Beail,	100 00
		4914	Hardin Nowlin,	8 00
		4911	A Hall,	20 00
		4917	M L Morris,	100 00
		4541	J C Wendall,	
		4919	M Reno,	2537 62
		4920	J Woods,	60 00
		4922	S Hempstead,	250 00
		4923	W H Morrison,	114 00
		4921	Charlotte Sandy,	100 00
		4925	A A Bradford,	250 00
	24	4929	H H Parber,	

Continued.

1852.	Date.	No.	Payee.	Amount.
Dec.	24	1927	L B & O A Patterson,	11 10
		1928	C Robbins,	6 75
		1929	G E Deforest,	64 15
		1930	do do	80
		1930	Lee & Pratt,	6 30
		1931	H W Fyffe,	2 70
		1932	G S Hampton,	34 02
		1933	do do	37 50
	25	1935	W H Merritt,	293 49
		1934	B F Barbrook,	100 00
	30	1936	F T Buxton,	26 40
		1937	Samuel Smith,	8 00
1853.				
Jan.	1	1941	Geo W McCleary,	125 00
		1942	Joseph Williams,	100 00
	3	1943	John Brown,	80 00
	5	1944	Thos S Wilson,	250 00
	7	1945	W H Merritt,	562 21
	8	1946	W M Kay,	250 00
		1947	W T Warren,	45 87
		1948	A E Lyon,	18 00
	11	1949	A [illegible]n,	100 00
	15	1950	J T [illegible],	100 00
		1951	Louisiana Ag. Society,	50 00
	17	1952	J M Whittaker,	75 00
		1953	J S Cr[illegible],	100 00
		1954	Joseph Williams,	150 00
		1955	J B [illegible],	11 [illegible]
		1956	[illegible],	[illegible]
		1957	[illegible],	[illegible]
		1958	[illegible],	5 10
	21	1959	[illegible]	[illegible]
			[illegible]	[illegible]
			[illegible]	[illegible]
			[illegible]	[illegible]
			[illegible]	[illegible]
			[illegible]	[illegible]

Continued.

Date.	No.	Payee.	Amount.
1853,			
Jan. 19	5024	A Harris,	126 00
	5026	Geo W Crane,	4 00
	5013	J S Hooton,	200 00
	5014	H D La Cassitt,	200 00
	4957	Mr. Bryant,	160 00
	4975	Mr Gilmore,	120 00
	5003	Mr Stephens,	112 00
	5019	J Leper,	100 00
	4952	Mr Allison,	130 00
	4971	Allen,	130 00
	4963	Cowles,	122 00
	4957	Means,	152 00
	5021	S P Yeomans,	200 00
	4993	Mr Ross,	122 00
	5018	James Wicks,	100 00
	5015	B Searcy,	100 00
	4962	Mr Cleaves,	168 60
	5023	Walkers,	152 00
	5016	Geo Grigsby,	100 00
	4963	Mr Coffin,	120 00
	4997	Russell,	118 00
	4992	Ream,	118 00
	4973	Fordyce,	116 00
	4986	McPherrin,	116 00
	5011	Washburn,	122 00
	4999	Putnam,	120 00
	4971	Eaton,	116 00
	5034	Hendershatt	116 00
	4979	Duncan,	136 00
29	4947	J M Villass,	100 00
	4955	W T Adair,	100 00
	4946	J Stafford,	100 00
	4956	Mr Alger,	104 00
	5018	Sales,	112 00
	5049	Schramm,	118 00
	5032	Hillis,	126 00

Continued.

Date.	No.	Payee.	Inter'st	Amount.
1853,				
Jan. 20	5041	Mr Lucas,		170 00
	5042	McAchran,		124 00
	5047	Price,		120 00
	5027	Coop,		112 00
	5052	Wing,		116 00
	5026	Clark,		118 00
	5005	Townsend,		128 00
	5053	Leffingwell,		220 00
	5007	Wasson,		120 00
	4980	G F Greene,		120 00
	5033	Mr Hedrick,		116 00
	5063	N Everson,		4 00
	5062	J E Fletcher,		108 00
	5040	Mr Lowe,		112 00
	4999	Sells,		112 00
	5030	N Everson,		108 00
	5046	Mr Preston,		108 00
	5028	Cowles,		122 00
	5051	Spees,		116 00
	4956	Bryon,		130 00
	5065	Richard Quinter,		50 00
	5038	Mr Lewis,	2 00	120 00
	5035	Hepner,		118 00
	5067	R Quinter,		125 00
	4988	Mr Mitchell,		112 00
	5045	Park,		112 00
	5061	Sharp,		164 00
	4989	Montgomery,		136 00
	4974	Garber,		130 00
21	4976	Goodson.		130 00
	5008	Williams,		114 00
	4967	Duckworth,		122 00
	4961	Clark,		116 00
	5002	Steadman,		106 00
	5064	G & J Powell,		50 00
	5013	Mr McKinney,		110 00

Continued.

Date.	No.	Payee.	Interest	Amount
1853.				
January 21	4966	Mr. Drake,		120 00
	4958	Bunker,		104 00
	5066	G Greene,		250 00
	4955	Mr Bonson,		120 00
	4992	Ramsey,		118 00
	4993	Reeder,		108 00
	4982	Hann,		124 00
	4984	Jessep,		110 00
	4995	Rodgers,		110 00
22	4981	Grimes,		116 00
	5036	Hull,		124 00
	5044	Needham,		120 00
	5068	W H Merrit,		68 49
	5037	Mr Johnson,		160 00
	5000	Seymour,		116 00
	5050	Shields,		120 00
	4994	Rice,		134 00
	4953	A D Anderson,		120 00
	4965	Mr Dodge,		112 00
	5022	W H Abrams,	2 00	4 00
	5060	S J Dunham,		108 00
	5061	N Park Woods,		100 00
	5058	Mr Sayles,		98 00
	5059	Boyles,		100 00
	5055	E Vanmeter,		196 00
	5012	Mr Whitmore,		116 00
	4998	Sears,		116 00
	5054	T B Cumming,		196 00
	5070	P B Bradley,		28 00
23	5071	S Walker,		8 80
24	5010	Mr Witter,		106 00
	5017	Riggs,		100 00
	4977	Grant,		212 00
	4964	Dillon,		116 00
	5031	Fisher,		132 00
	4985	McArthur,		108 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853,				
Jan'ry 21	5069	Mr Wilson,		106 00
	5025	Browning,		116 00
	5004	Taylor,		116 00
	5056	Whitmore,		196 00
	4978	J C Green,		110 00
	4959	Mr. Caulk.		110 00
	5072	John Remlin,		40 00
	5023	Jones Butler,		50 00
	5063	W H Seevers,		250 00
	5039	Mr Love,		124 00
	5075	J C Knapp,		50 00
25	5077	A Hart, P M,		343 14
	5078	" "		65 00
	5079	Hart & Love,		39 91
	5080	G S Hampton,		12 00
	5081	G Gaymon,		120 00
	5082	James Pattee,		13 00
	5083	Peter Combey,	2 00	4 00
	5084	E C Cole,		35 00
	5085	L B & O A Patterson		26 55
	5086	W D Powell,		4 00
	5087	P B Bradley,		16 00
	5088	J D Davis,		28 00
	5089	H D La Casitt,		38 50
	5091	W Pattee, S P B'ld'gs.		1000 00
	5092	Hutchinson & Wates		18 17
	5093	J Stelzer,		50 00
	5096	J D Evans,		8 00
	5094	Gower & Halt,		124 56
	5095	S N Pattee,		10 00
	5098	W Pattee,		114 16
26	5101	Thos Snyder,		20 00
	5118	J Powell,		48 35
	5092	N G Benton,		25 00
	5117	S Hempstead,		300 00
	5112	C Andrews,		4 20

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
January 26	5118	J P Carleton,		23 71
	5057	W H Turner,		84 00
	5098	Trowbridge & Sanders		29 45
	5119	M L Morris, Libra'n,		32 00
	5103	Mr Vogt,		50 00
	5120	Jas Williams. C J S C		800 00
27	4983	Mr Hutchinson,		108 00
	5121	Emerson & Shields,		22 30
28	5104	John Clark,		889 09
	5123	Jas W Woods,		68 38
	5124	C Calder,		28 88
	5125	Jas Williams,		44 09
	5126	Luke Palmer,		25 00
	5122	John S Corse,		59 45
	5128	" "	2 00	1154 60
	5110	J D Templin,		16 50
29	5111	John Pattee,		206 00
	5107	H W Fyffe.		11 38
	5129	N G Benton,		25 00
31	5097	Secretary of State,		200 00
	5114	W Pattee,		600 00
	5115	T H Benton, jr,		500 00
	5130	E H Ires,		52 00
Feb'ary 1	5131	James P Carleton,		226 29
	5132	R P Lowe,		250 00
	5133	Geo Andrews,		100 00
	5134	Thos H Benton, jr,		300 00
	5135	M L Morris,		400 00
	5136	" "		200 00
	5137	Thos H Benton,		1644 20
	5138	" "		600 00
	5139	" "		235 37
4	5141	A Hart, P M,		15 00
	5143	M L Morris, S T,		400 00
	5145	John Clark,		200 00
	5142	Thos H Benton,		100 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
Febru'ry 4	4815	G W McCleary,		125 00
	5106	" "		79 20
	5116	W H Merritt,		157 21
5	5146	G W McCleary,		600 00
	5168	F Sanxay,		1 99
	5029	Mr Crosthwait,		100 00
	5105	G D Crosthwait,		381 00
	5147	H D Downey,		209 25
10	5154	R Spaulding,		17 00
	5152	J C Fletcher,		24 00
	5155	W & J Greene,		29 51
	5160	Joseph Williams,		500 00
	4972	G Folsom,		104 00
16	5173	G D Crosthwait & Co.		280 00
	5163	W H Turner,		12 60
	5162	Gower & Holt,		11 75
23	5150	F Drown,		10 00
	5149	C Negus,		50 00
	5166	Caleb Baldwin,		10 00
	5178	E Drown,		40 00
	5164	J Clark,		18 00
	5167	John Clark,		108 00
24	5182	Saml. Bressler,		120 00
	5186	Jas D Eads,		30 00
	5157	Saml Bressler,		30 00
	5189	Egle & Miller,		4 50
	5191	Sanders & Davis,		50
	5190	Gulech & Co.		15 00
	5101	Peter Robers,		50
	5161	Wm Haddock,		5 50
	5100	Wm Lee,		8 50
	5175	John Clark,		2 18
	5174	" "		3 00
25	5195	W H Merrit,		564 85
	5193	D O Finch,		1 00
	5197	Wm Pattee,		17 15

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
Febru'y 25	5196	T B Cumming,		155 00
March 1	5199	Wm Pattee,		150 00
4	5214	Wm H Merritt,		56 17
8	5209	Geo W McCleary,		21 10
9	5212	Wm H Merritt,		109 82
26	5219	Jas H Gower, T B A		400 00
April 11	5169	Wm H Merritt,		810 83
	5265	Mahony & Dorr,		26 50
	5074	A P Wood.		75
	4529	Smith & McKinley,	2 00	10 00
	4419	Wm H Merritt.		15 12
	5194	W H Hamilton,		140 00
	5236	T S Wilson.		250 00
	5073	A P Wood,		16 00
	5237	Wm H Merritt,		200 00
14	5233	W McKay,		250 00
	5213	Wm H Merritt,		550 00
	5238	Wm H Merritt,		419 63
	5221	Joseph Williams,		1 [illegible]0 00
	5222	A A Bradford,		333 33
	5225	Jas Cavenaugh,		49 00
	5217	Wm Pattee, S. S. H.		100 00
	5227	Joseph Williams,		56 00
18	5099	C A Robbins,		7 00
	5076	W H Merritt,		29 09
	4719	Jas Cavenaugh,	33	51 00
	5230	Geo W McCleary,		20 00
	5210	Wm Pattee,		309 00
	5229	Wm P Doty,		180 00
	5198	S Hempstead,		250 00
	5200	Geo W McCleary,		125 00
	5232	A Hart,		96 52
	5234	Curtis Bates,		1 00
	5235	Curtis Bates,		12 00
	5243	E Vandyke,		100 00
21	5231	Geo Greene,		250 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1353.				
April	21 5247	J Smith Hooton,		165 00
	25 5228	Joseph Williams,		94 06
	28 5252	W H Merritt,		420 00
	5245	J B Howell,		10 60
	5246	" "		2 00
	29 5144	M L Morris, S Lib'n.		570 00
May,	2 5201	W H Merritt,		65 31
	5254	J P Carleton,		27 00
	5255	J H Gower, Tr Bl A's		251 60
	3 5226	J Cavenaugh.		20 00
	5241	W H Merritt,		75 45
	5239	" "		85 30
	5256	T H Benton,		300 00
	9 5257	R P Lowe,		270 00
	5216	A R Fulton,		1 00
	11 5259	Anson Hart,		12 16
	5271	M L Morris,		100 00
	5273	Jacob Stetzer,		51 00
	5272	M L Morris,		72 00
	30 4841	A A Bradford,		50 00
	5156	Henry Jewett,		75 00
	5162	Harry & Co.		12 50
	5223	J F Kinney.		250 00
	5153	A W Carpenter,		22 50
	5163	J Pierson,		190 00
	5127	Morgan & M'Kinney,		9 50
	4940	J F Kinney,		250 00
	4832	J W Woods.		16 00
	4836	A A Bradford,		50 00
	4837	" "		50 00
	4838	" "		50 00
	4839	" "		50 00
	4840	" "		50 00
	4724	R Quinter,	15	10 00
	4722	" "	15	10 00
June,	1 5170	F Springer,		90 19

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
June 1	5281	M L Morris,		100 00
	5282	Wm Pattee,		150 00
	5283	Geo W McCleary,		125 00
4	5296	Geo Grigsby,		125 00
	5297	N McCullough,		25 00
6	5280	M L Morris (Inter.)		2,537 62
14	5299	Stephen Hempstead,		250 00
30	5302	J S Townsend,		500 00
July 1	5301	W Pattee,		150 00
	5305	W Lee,		3 50
	5306	Geo Green,		250 00
5	5311	M L Morris,		32 00
	5301	H D LaCessit[illegible],		11 00
	5159	Henry Jewett,	20	25 00
	5251	D C Dunlap,	15	20 00
8	5275	W Lee,		2 50
15	5314	C A Robbins,		63 00
16	5315	C A Robbins,		8 00
22	5316	J Brown,		80 00
25	5317	J H Gower, Tr. B A,		250 00
28	5319	" " "		420 00
August 1	5321	Jas P Carleton,		250 00
3	5307	John Clark,		33 35
	5323	Thos H Benton, jr.		300 00
6	5324	W P Doty,		100 00
11	5180	Geo Grigsby,		350 00
	5181	R T Trolne,		50 00
	5171	R Quinter,		20 83
	5172	G Grigsby,		596 34
	5158	R Quinter,		41 66
	5148	" "		500 00
	4730	" "	13	10 00
	4729	" "	12	10 00
	5182	J B Morgan,		100 00
	5184	D C Dunlap,		24 00
	5185	John Whittaker,		24 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
August 11	5202	John Whitaker,		36 00
	5203	J D Eads,		30 00
	5204	D C Dunlap,		33 00
	5206	Geo Grigsby,		50 00
	5207	" "		50 00
	5208	" "		25 00
	5248	T S Espy,		66 00
	5261	N McCullough,		25 00
	5262	" "		25 00
	5263	" "		25 00
	5264	W A Hornish & Co.		4 00
	5265	" "		26 50
	5221	Geo Grigsby,		430 00
	5277	D C Dunlap,		10 00
	5278	" "		10 00
	5285	Geo Grigsby,	3 33	250 00
	5286	" "	1 33	100 00
	5290	" "	92	70 34
	5292	" "	1 33	100 00
	5293	" "	1 33	100 00
	5328	D C Dunlap,		20 00
	5279	" "		10 00
23	5224	John Clark,		131 40
24	5227	A B Bradford,		150 00
	5328	A Black,		100 00
	5329	W P Doty,		30 00
25	5298	Mahoney & Derr,		5 75
27	5330	T S Wilson,		250 00
	5284	W P Doty,	1 95	100 00
	5258	" "	1 80	75 00
30	5242	W H Merritt,	11 20	560 12
	5211	" "	7 00	350 00
	5240	" "	64	32 30
	5151	Mahin & Son,		3 00
	5253	John Lemp & Co.		4 00
31	5331	D A Dewey,		100 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				550 00
August 31	5322	R P Lowe,	1 66	208 25
Sept 1	5332	W P Doty,		250 00
	5274	W H Seevers,	5 50	28 00
	5276	Sanford Harned,		6 00
	5187	R H Warden,		12 00
	5179	W A Johnson,		57 00
	3421	Lewis Judson,	4 56	21 80
	5334	James Baker,		100 00
	5333	R Bayless,		250 00
2	5313	W C Leffingwell,	2 49	250 00
3	5260	T S Wilson,	5 81	25 00
	5335	Wm Pattee,		125 00
	5336	Geo W McCleary,		100 00
	5337	M L Morris,		150 00
	5338	Wm Pattee,		2027 00
5	3341	John Brown,		100 00
6	5177	J D Huston,	85	150 00
	5310	Jos Williams,	1 40	150 00
10	5343	W Pattee, S S House,		250 00
14	5266	J S Hooten,		75 00
	5267	T B Cumming,		75 00
	5268	J S Hooten & T B Cum	8 91	180 00
	5270	W Pattee, [ming.		4 15
15	5176	G W Bond,	1 65	100 00
	5215	John R Needham,		11 00
	5328	W E Leffingwell,	1 00	250 00
	5308	Jos Williams,		140 00
	5127	Morgan & McKinney,		26 50
16	5342	C J Robbins,		35 00
	5165	H & S M Mills,		31 50
	5188	M B Root,		35 00
17	5345	D C Cloud,		200 00
	5294	G Grigsby,	2 00	100 00
	5291	" "		400 00
Sept. 17	5347	N McCullough,		50 00
	5348	G Grigsby,		125 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1853.				
Sept. 26	5339	W G Lovell,		200 00
	5340	S Hempstead,		250 00
	5353	W S Mathews,		100 00
	5354	A Allen,		150 00
	5273	W Pattee,	1 50	150 00
27	5356	C D Gage,		500 00
	5355	W P Doty,		75 00
	5368	J S Townsend,		250 00
	5369	M L Morris,		37 50
28	5370	Jas Cavenaugh,		51 00
Oct. 1	5375	W McKay,		250 00
4	5385	T S Wilson,		150 00
5	5374	W P Doty,		50 00
	5110	I Ritter,		11 17
19	5372	W P Doty,		100 00
27	5393	W G Crawford,		30 00
28	5396	A A Bennett,		100 00
Nov. 1	5384	W McKay,	1 66	250 00
	5349	W L Lamarvell,	2 66	250 00
19	5378	Joseph Watkins,	2 66	220 00
	5386	A D Ewer,	66	100 00
20	5376	George Greene,	1 66	250 00
	5409	P Moriarty,		3 50
25	5413	John Pattee,		10 00
	5414	W Pattee,		100 00
Dec. 2	5397	Jesse Berry,	50	70 00
3	5415	G W McCleary,		125 00
	5417	M L Morris,		100 00
	5419	" "		37 50
5	5420	S Hempstead,		250 00
	5393	Jas Cavenaugh,	35	39 66
	5416	W Pattee,		50 00
	5421	John Pattee,		6 00
7	5422	Peter P Freeman,		33 60
7	5423	D C Cloud,		3 50
	5424	" "		200 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1843.				
Dec. 9	5427	Banbury & Redhead,		23 70
	5428	S Mitchell,		7 00
	5429	F Thompson,		2 25
11	5431	M L Morris,		2,585 62
12	5432	Geo W McCleary,		29 20
13	5433	Jacob Starzer,		20 00
17	5434	M McGinniss,		69 00
23	5439	W Pattee, S S House,		250 00
24	5440	Jacob Starzer,		26 00
28	5443	David Stanfield,		24 00
				250 00
1851.				
Jan. 1	5441	G Greene,		
2	5446	Walter Terrell,		2 00
7	5450	Jesse Berry,		20 00
	5451	W McKay,		250 00
	5218	J Needham,		4 00
	5452	W H Seevers,		250 00
	5408	" "	1 30	100 00
	5404	" "	60	50 00
	5402	" "	1 30	100 00
	5318	Mahaska co. Agr. So.		56 00
	5325	W H Seevers,	3 47	250 00
	5419	Joseph Williams,		127 40
	5300	S H Riddle,		250 00
	5351	H C Caldwell,		50 00
	5125	" "		93 00
	5-58	S H Riddle,		250 00
	5406	A A Bradford,		100 00
	5405	" "		100 00
	5[illegible]	" "		50 00
1	5395	Johnson co. Ag Soc.	3 10	200 00
	5458	A A Bradford,		250 00
	5454	H [illegible] Warren,		11 00
	5455	J S Townsend,		200 00
	5443	D [illegible]		50 00
	5377	J F [illegible]	3 60	250 00
	5418	"		250 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1854.				
January 9	5287	G W Grigsby,	4 00	100 00
	5289	" "	4 00	100 00
	5295	" "	4 00	100 00
	5388	Jefferson co. Ag. Soc.	3 33	200 00
	5344	J G Gordon	5 33	200 00
	5380	R Putnam,	50	20 00
	5399	Agricultural Society.	2 33	200 00
	5373	W P Doty,	2 00	50 00
	5383	R Putnam,	50	20 00
	5456	J G Stein,		60 50
	5442	John Clarke,		4 70
	5456	G Gillaspy,		20 00
10	5447	Jas Williams,		55 00
	5458	J C Townsend,		50 00
	5491	J H Gower, T B Asy.	3 33	250 00
	5459	George Grigsby,		100 00
	5410	W P Doty,	1 00	50 00
11	5303	A W Babbitt,		3 00
	5244	" "		15 00
	5466	Wm Pattee,		300 00
	5465	T H Benton,		300 00
	5467	Wm Smith,		250 00
	5468	J H Gower, T B A,		750 00
13	5469	Geo W McCleary,		250 00
	5470	John Tollerman,		25 80
16	5411	Wm P Doty,	58	50 00
	5381	Robt Putnam,	45	20 00
	5379	" "	45	20 00
	5389	James Cavenaugh,	39	21 00
	5382	Robert Putnam,	45	20 00
	5371	W P Doty,	2 08	100 00
	5412	" "	87	73 75
17	5471	C McBee,		40 00
	5472	W H Holmes,		267 50
	5473	S Smith,		23 00
18	5387	Wm Smith,	5 00	250 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1854.				
January 19	5408	J Minturn,		100
	5396	Louisa Co. Ag. Soc.		77
	5474	James Cavenaugh,		9
20	5475	Jos Williams,		67 50
	5427	Wapello Co. Ag. Soc.		110 95
21	5476	W H Holmes & Co.,		35 35
23	5441	W Lee,		4
	5478	J L Corse,		3 40
	5430	R P Lowe,	1 66	250
26	5480	John Pattee,		50
	5481	President Bl'd Asy.,		954
27	5479	C C Pratt,		74
Febr'ry 1	5482	E Vandyke,		100
15	5484	G *Madden*,		96 25
22	5488	John Pattee,		306 58
	5398	Jones Co. Ag. Soc.,		83
	5486	S S Wilson,		400
	5487	S Hempstead,		250
	5489	W Pattee,		50
23	5493	L B & O A Patterson,		18 60
	5492	T Snyder,		12
	5494	John Clark,		215 16
24	5495	R P Lowe,		250
25	5499	John Clark,		8
28	5500	J Statzer,		20
March 1	5485	T H Benton,		200
	5501	" "		1,644 20
	5502	" "		600 00
	5503	" "		235 37
2	5269	Geo W *McCleary*,	25 65	400
6	5504	F Sanxay,		38 31
7	5506	W Pattee,		100
8	5508	M L *Morris*,		100
	5509	" "		37 50
	5510	Geo W *McCleary*,		125
	5511	W Pattee, Cen. Blks.		50

Continued.

Date.	No.	Payee.	Interest.	Amount.
1854.				
March	6 5507	Watts & Hutchinson,		15 18
	11 5514	S Mitchell,		15
	5515	R Coles,		50 10
	14 5516	J Frink & Co.		35 12
	16 5517	D C Cloud,		200
	18 5518	W Pattee,		300
	29 5519	J S Townsend,		150
	5520	" "		100
	30 5521	M L Morris,		27 50
April	4 5352	Geo W McCleary,	20 00	479
	5522	President Blind Asyl.		510 50
	5 5523	George Greene,		250
	5524	J C Hall,		250
	8 5525	T P Ballard,		8
	5526	G Malden,		120 25
	5527	G Pene,		82 35
	10 5528	S Mitchell,		20
	18 5532	G Grigsby,		125
	22 5535	Joseph Williams,		75
	5534	Wm Smith,		250
	24 5536	Johnson Co. Ag. Soc.		200
May	2 5537	Joseph Williams,		80
	3 5538	W McKay,		111
	5 5540	Jacob Stretzer,		61
	6 5541	S H Riddle,		500
	7 5542	W E Lofingwell,		250
	5543	G Malden,		100
	9 5547	G H Walker,		28 24
	5545	A A Bradford,		250
	5546	Joseph Williams,		95
	5544	John Frink & Co.		4 50
	12 5551	W P Seevers,		250
	5546	Geo W McCleary,		275
	18 5555	John Clark,		16 50
	26 5559	George Malden,		169 93
June	5 5562	W Pattee,		150

Continued.

Date.	No.	Payee.	Interest.	Amount.
1854.				
June 5	5563	M L Morris,		100 00
	5564	" "		37 50
7	5565	W McKay,		55 67
9	3725	Asa Hughes,		2 13
	5566	David Stanfield,		24 00
10	5567	D C Cloud,		200 0
12	5569	M L Morris, (Interest)		2,585 62
15	5571	W Smith,		250 00
	5572	Geo W McCleary,		125 00
16	5573	Jas Cavenaugh		6 00
17	5575	R M Burnett,		259 05
23	5350	W M Wallbridge,		200 00
	5309	Jos Kinney,		250 00
	5477	J L Corse.		36 50
	5288	Geo Grigsby,	4 99	100 00
	5291	" "	4 99	100 00
28	5577	John Clark,		3 00
	5570	George Paul,		10 90
30	5578	T S Wilson,		250 00
	5579	S Hempstead,		250 00
	5580	J S Townsend,		250 00
	5549	A S Mitchell.		12 00
	5282	Joseph Williams,		41 00
July 1	5584	Geo Greene,		250 00
3	5585	Joseph Williams,		133 25
4	5586	E Sanxter,		40 20
1	5583	W H Seevers,		250 00
6	5587	President Blind Asy.		525 00
	5589	M S Beach,		37 00
	5588	Joseph Dungan,		57 50
	5581	Joseph Williams,		75 75
	5590	W Lee,		2 00
12	5591	J C Hall,		250 00
13	5589	" "		125 00
17	5592	J D Eads,		300 00
20	5594	L D Wheelock,		200 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1851.				
July 29	5597	C A Robbins,		14 00
August 1	5598	C J McFarland,		333 00
	12 5606	S W Wheelock,		1,409 00
	19 5607	W Winter,		30 00
	5608	J D Eads,		39 00
	5609	J K Swartz,		45 00
	21 5610	Joseph Dungan,		15 00
	5611	A A Bradford,		250 00
	22 5611	J D Eads,		300 00
	25 5612	R M Barnett,		1,119 70
	29 5613	" "		583 00
	31 5614	W S Vinay,		10 00
	5553	Duberque city grounds,		15 00
	5554	Mahoney & Lane,		39 28
	5551	" "		97 00
	5552	" "		100 00
	5555	" "		100 00
	5551	" "		100 00
	5553	" "		100 00
	5197	Geo McHenry,		5 00
	5196	R Rainey,		24 99
	5189	W W Hamilton,		160 00
	5115	T S Wilson,		570 00
Sept 2	5616	M L Morris,		100 00
	5617	" "		37 50
	5618	Geo W McCleary,		125 00
	5619	J Brinkerhoof,		21 00
	5620	Stephen Hempstead,		250 00
	5621	Joseph Dungan,		15 00
	5599	Lewis Garrett,		296 00
	5622	W Lee,		2 00
11	5428	W Talbott,		2 05
13	5623	Richard Bayless,		100 00
	5624	W T Matthews,		100 00
15	5625	W P Hepburn,		20 00
	5626	D C Cloud,		200 00

Continued.

Date.	No.	Payee.	Interest.	Amount.
1854.				
Sept. 15	5627	Wm Pattee,		150 00
	5628	" "		50 00
	5620	Mahony & Dorr,		317 00
16	5632	Sylvester & Harrison,		6 00
19	5491	James Thompson,		60 00
22	5633	Monroe Co. Agr. Soc.		100 00
25	5634	Henry Co. Agr. Soc.		65 16
	5635	R M Burnett,		150 00
30	5629	J G Green,		200 00
	5636	Joseph Williams,		69 62
October 2	5637	W Lee,		2 00
	5638	Wm Smith,		250 00
	5639	George Green,		250 00
4	5642	W H Seevers,		250 00
6	5612	Clegham & Harrison,		18 25
	5631	G W McCleary,		284 70
	5646	Joseph Dungan,		20 00
5	5643	J S Townsend,		250 00
	5644	C J McFarland,		250 00
6	5647	Pres't Blind Asylum,		375 00
24	5609	J B Booth,		250 00
	5776	" "		250 00
25	5645	Mahony & Dorr,		90 77
	5651	Amos Cummings,		109 65
	5648	J C Hall,		250 00
	5650	Scott Co. Agr. Soc.,		200 00
	5653	Pres't Blind Asylum,		105 00
			$198 94	113343 96
				198 94
		Total amount,		$113,542 90

REPORT

OF THE

Committee

ON

FEDERAL RELATIONS

OF THE

Senate of Iowa,

ON THAT PORTION OF THE INAUGURAL MESSAGE OF HIS EXCELLENCY, GOVERNOR GRIMES, WHICH HAS REFERENCE TO THE SUBJECT OF SLAVERY.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1855.

The Committee on Federal Relations, to whom was referred so much of the Inaugural Address of his Excellency the Governor as related to the subject of Slavery, beg leave to submit the following

REPORT:

The Committee have taxed their ingenuity in vain to discover any legitimate connexion between the subject of slavery and the appropriate business of this General Assembly.

Subjects of legislation the most important to humanity and to the great interests of the State, press imperiously demand the attention of the General Assembly. The Deaf and Dumb, the Blind and the Insane, are appealing to us for shelter and for help. The condition of the Public Lands of the State is such as to require immediate attention. Our system of school and collegiate institutions, call loudly for the amending hand of the Legislature. Eleven hundred subjects claim the prompt and early consideration of the General Assembly.

The subject of Slavery is beyond our legislative control, yet such is the contrariety of opinion amongst us upon that question, that its introduction into our discussions would inevitably engross much of the time which might be more profitably devoted to questions which have a practical bearing upon the well-being of the State. The Committee are therefore at a loss to conceive what useful or patriotic end his excellency had in

view in casting this apple of discord into our deliberations, and they are the more embarrassed from the fact that his excellency closes his discussion of the subject of slavery without making any practical application of his sentiments to the business before the Legislature.

The Committee entertain too high an opinion of the patriotism of his excellency to suppose for a moment that he expected to accomplish any object of personal ambition by the shallow device of stirring the bitter waters of the slavery question, and the well known sagacity of his excellency forbids the belief that he could have expected to accomplish any such purpose, even if he cherished it by an artifice so transparent to the humblest capacity. Finally, the Committee are too well advised of the profound constitutional learning of his excellency not to repel the insinuation that he hoped to influence the elections pending before the General Assembly by the agitation of this "vexed question," since it is clearly evident that the Constitution has committed to the two Houses alone the duty of electing a senator in judges, and therefore any attempt on the part of [illegible] to influence, either directly or indirectly with this subject, must be regarded as a violation of the spirit of the instrument. Indeed it was the sole purpose of his excellency to [illegible] multitude at his inauguration by a display of his skill as a dialectician, and his genius as an orator, the Committee have no objection in the world to such harmless amusement, and only regret, for the honor of the State, that the sentiments of the Message had been uttered on a great number of times, by a great number of stump orators with much greater logical and rhetorical ingenuity than that which characterises the Inaugural Address. If it were the worthy design of his Excellency to rescue from the devouring jaws of time those perishing remnants of his genius as a statesman —his late public addresses while a candidate—and to clothe

them with the dignity and give them the more permanent form of a State Paper, for the enlightenment and edification of Posterity, the committee can but commend so noble a purpose, since it is natural that the parent should desire the preservation of his own offspring, although it may be deformed and hideous in the sight of others?

There is one reason at least why your Committee regret the introduction of slavery into the invaluable address of his Excellency. In consequence of the space it occupies we have doubtless lost the benefit of his Excellency's illuminated and illuminating views upon that favorite topic of his statesmanship—a *sound* Banking System—a system in which the billholder will be perfectly safe although the Bank itself may suspend! Your Committee can but lament the silence of his Excellency upon a subject on which he so recently enlightened his fellow-citizens, inasmuch as late developments must have afforded him new themes for profound speculation and pathetic eloquence on his truly metaphysical idea of a *sound* paper currency. Your Committee would particularly commend the remarks of his Excellency upon the interesting subject of "manhood." The Committee are happy to believe that his Excellency is especially distinguished from that large body of his fellow citizens commonly called "Locofocos" by the possession in an eminent degree of the quality in question. Now gratitude is one of the prime elements of manhood. Indeed it has been said: "*Ingratum qui dicit nil omnia dicit*;"—he who pronounces one ungrateful has said everything. And he who would desert a friend in adversity upon whom he leaned for support in the day of that friend's prosperity, would be entitled to the character of a base ingrate rather than that of a true man. Your Committee is well assured, then, that his Excellency would never be guilty of the meanness of deserting an old croney in distress, *unless impelled so to do by circumstances of a very urgent nature.*

Now it is quite notorious that there are several politicians in Iowa who have drawn largely from the Banks in the days of their prosperity, for their capital and stock in trade, whether political or financial. It is known also that at present these institutions are laboring under a surprising outside pressure, insomuch that confidence, the breath of their nostrils, the acknowledged principle of life with them, begins to fail, and that they are threatened with a speedy dissolution. It seems then that to every politician who leaned upon them in the hour of his need and their prosperity, in view of their present distressing and dilapidated condition, [illegible] appropriately be applied the injunction anciently addressed to the Jewish King. "Be strong and show thyself a man" and [illegible] your Committee [illegible] which compel [illegible] opportunity as the occasion of [illegible] was not wanting in gratitude, [illegible]

[illegible] to the Senate, [illegible] from the further consideration of this [illegible]

SMITH, Chairman.

Minority Report,

OF THE COMMITTEE ON

FEDERAL RELATIONS,

OF THE

SENATE OF IOWA.

ON THAT PORTION OF THE INAUGURAL MESSAGE OF GOVERNOR GRIMES, WHICH HAS REFERENCE TO THE SUBJECT OF SLAVERY.

IOWA CITY:
D. A. MAHONY, & J. B. DORR STATE PRINTERS.
1855.

REPORT.

The minority of the Committee on Federal Relations not being able to concur either with the reasoning or rhetoric of the Report of the majority, beg leave to submit the following.—We trust it will not be expected of us to enter into any detailed reply to the positions assumed by the authors of that Report. As friends of the Governor, as citizens of a free State, and in some degree answerable for its character abroad,—as members of the Senate and therefore directly responsible for the character of its proceedings—we conceive we shall have discharged our full duty in the premises when we acquit ourselves of all participation in the report with which the majority have favored the Senate. As members of the Committee on Federal Relations we should be unjust and ungenerous to those who alone are entitled to claim the honor of that production, if we did not thus explicitly disavow any part in the just meed of fame which doubtless awaits the author of that dignified, able and luminous State paper. The undersigned confess, that until informed by the better knowledge of the majority, they were not aware of the gross impropriety of which the Governor of a free State had been guilty in calling the attention of its Legislature to a subject so intimately connected with all its future interests as is that of the repeal of the Missouri Compromise. Even now that the undersigned have had all the benefit of the logic, wit, classical learning and satire, which gleam and glisten from the pages of the report, like lightning from the cloud, they are still so dull as not to per-

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expatiated with much eloquence on this great principle of squatter sovereignty, and told some Mississippi gentleman by the name of Brown, with how much zeal he, on the principle of squatter sovereignty, would resist all his, Brown's slavery notions about the disgrace of blacking boots, going to market, sawing wood &c., in these same territories of Kansas and Nebraska. Less than a year has passed since such was the universal language of all the advocates of squatter sovereignty. And yet what has transpired since this committee was constituted. Citizens of the slave state of Missouri under the advice and counsel of no less conspicuous a personage than Senator Atchison have invaded the soil of these same squatter sovereigns, profaned the sacredness of the ballot box, and by a fraud as gigantic and shameless, as ever disgraced the annals of any people, over-ruled the wishes, and over-ridden the rights of those who were the real squatters, the actual settlers of Kansas.

This is the way squatter sovereignty works in Kansas.

When those who by repealing the prohibition of slavery, found themselves about to be defeated in their object of making a slave state on their own newly introduced principle, they immediately resorted to fraud the most shameless, backed by the Bowie Knife and the Pistol; and these are the weapons with which the advocates of the extension of that peculiar institution should fight its battles. They are fit weapons for such a cause. The undersigned believe now as they have always believed since the repeal was first agitated in Congress, that the whole controversy was for Political power. How often were we all told by the advocates of the compromise of 1850, that those five measures likened by Mr Clay in one of his orations to five bleeding wounds in his country's side, were taken in their totality, a "finality" on the subject of slavery.

The repeal of the Missouri compromise, and the events which have recently occurred in Kansas under the advice and lead of Atchison and other slavery propagandists of Missouri prove that with the advocates of slavery extension there is no

finality, except the absolute control of the Government of this Republic in all its departments.

Already we find in the quarter which was potential in effecting the repeal of the Missouri Compromise, arguments as grave, as earnest and as eloquent in behalf of legalizing the trade in slaves from Africa, as were ever heard in favor of the modern doctrine of Southern right to carry slavery into all the territories. Those arguments only lack one element of strength, and that will be added as soon as the time shall have come for taking it on—that is the *chivalry* element—always embodied in the form of threats to dissolve the Union. The undersigned hope the day has come when this last argument will cease to have its wonted effect. They should rejoice that Iowa—well called the only free child of the Missouri Compromise, by the executive, a sovereign member of this great family of States, and whom your committee take leave to say has always, on this great and now overshadowing subject of slavery, been misrepresented at Washington,—should through her representatives, the present General Assembly, speak such words of truth and soberness as shall, if possible, strike the ears of those whose only conceptions of the doctrines of this great confederacy seem to be limited to making it a place where the clank of the chains of the slave shall never cease to be heard, and when the highest and most sacred duty of its citizens shall be to pursue as blood-hounds the track of its flying fugitives. These are finalities from which they humbly trust every free citizen of Iowa will forever turn with loathing and disgust. The undersigned would recommend the adoption of the following resolutions:

Resolved, 1st, That in the third section of the fourth article of the Constitution of the United States, conferring upon Congress the "power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States," we recognize full and express

power under which slavery may be prohibited in all such territory, and which power it is the bounden duty of Congress to exercise.

Resolved, 2nd, That the power to admit new States into the Union, is one in which Congress may, without just offence to any State or class of States, exercise a sound discretion, and that it is their right and duty to refuse to admit any more slave States into the American Union.

Resolved, 3rd, That the 2nd section of the 4th article of the Constitution of the United States, in which it is provided that the *citizens* of each State shall be entitled to all privileges and immunities of citizens in the several States, is as binding and obligatory as the latter clause of the same section, providing for the rendition of fugitives from service, and it is the duty of Congress to provide the same stringent laws for enforcing the rights of citizens of the free States in the slave States, as for enforcing the "claim" of citizens of the slave States to "persons" in the free States.

Resolved, 4th, That the law for the rendition of Fugitives from service, reported by Daniel Webster in the Senate on the 3rd day of June, 1850, (Cong. Globe, Vol. 21st, part 2d, page 1111) and which provides for the trial by jury, ought to be substituted, with further modifications, for the present odious and unconstitutional law.

Resolved, 5th, That a copy of these resolutions be forwarded to our Senators and Representatives in Congress, with instructions to lay the same before the bodies of which they are respectively members.

G. W. WILKINSON.

REPORT

OF THE

STATE AUDITOR

OF THE

State of Iowa.

IOWA CITY:
D. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

AUDITOR'S REPORT.

AUDITOR'S OFFICE, IOWA,
Iowa City, Nov. 1, 1854.

To the Honorable, the General Assembly of the State of Iowa:

The undersigned, in compliance with law, would respectfully submit the following Report:

The whole amount of warrants issued, from the first day of November, 1852, to the thirty-first day of October, 1854, inclusive, (as shown by statement A.) $121,083.73.

At the first mentioned date, there was out-standing warrants amounting to $1,468.90. There has been redeemed during the same time, warrants amounting to $118,068.90; leaving out-standing at this time warrants amounting to $4,483.73.

The receipts into the State treasury, during the same time, have been (including $10,515.70 from the sale of saline lands, and the amount on hand at the commencement of that period.)	$134,965	45
And the disbursements upon warrants and interest thereon, including one drawn against the saline land fund of $5,000,	118,542	90
Leaving a balance in the State Treasury, Nov. 1st, 1854, of	$15,522	55

The estimated expenditures for the next two fiscal years, as shown by statement B, amount to $129,742.00.

The present available resources of the State, as shown by statement C, amount to	$109,191	42
Assessment of 1855, estimated at the present rate,	125,000	00
	$234,191	42

Showing an excess of receipts over estimated expenditures, of $94,449.42.

The funded debt of the State is as follows:

Bonds issued under act of January 19th, 1847, and payable July 1st, 1857,	$55,000 00
Bonds issued under act of January 12th, 1849, and payable May 1st, 1854,	16,442 05
Bonds issued under act of January 19th, 1849, and payable September 15th, 1859,	6,000 00
Bonds issued under act of February 5th, 1852, due January 1st, 1856,	2,353 70
	$79,795 75

All of these bonds are due and payable at the dates given above, or sooner, at the option of the State, except the one for $55,000.

I would recommend that the Auditor of State be authorized to pay the bond for $16,442.05, now due, on the first day of July, 1855; and the two due in 1856 and 1859, respectively, on the first day of January, 1856, should there be (as there no doubt will) sufficient means on hand for that purpose.

The total amount of taxable property of the State (as shown by my last report) was in 1851, $28,464,550, and in 1852, $38,427,376. The total amounts, as shown by statements D and E, of this report, are, for 1853, $49,540,304, and for 1854, $72,327,204.

It is impossible to make an estimate of the expenditures for the next two years, that will come very near the amount that will be actually appropriated, and the regular and indispensable expenditures, therefore, are only put down in that table.

The only alteration in the present revenue law, which it is deemed advisable or necessary to make, is from the present system of township to county assessors. The experience of the past two years, it is thought, has proved the latter to be best, as being more likely to ensure uniformity and correctness in the assessments.

The County Treasurers, and others, having the collection of public revenue, have, generally, manifested commendable zeal and promptness in the discharge of their duties.

The present prosperous condition of the finances of the State must be a source of gratification to every citizen.

All of which is respectfully submitted.

WILLIAM PATTEE,

Auditor of State.

STATEMENT A.—Showing the amount of warrants issued, from November 1, 1852, to October 31, 1854, and upon what account:

Agricultural societies,	$3,024 27
Auditor's salary account,	1,200 00
Blind Asylum,	4,889 50
Attorney General's salary,	1,000 00
Deaf and dumb,	2,400 00
Funded debt,	2,027 00
General contingent fund,	2,015 24
General appropriation,	13,792 00
Governor's salary account,	2,250 00
Interest account,	15,365 62
Judges' salary account,	22,447 95
Librarian's salary account,	300 00
Miscellaneous disbursements,	5,675 03
Penitentiary—old appropriation,	5 40
" Officers' salary account,	2,601 49
" Other expenses,	6,606 29
Publishing laws,	665 00
Superintendent Public Instruction's salary account,	2,300 00
Supreme Court contingent expenses,	1,379 27
State printing,	6,531 13
Secretary's salary account,	1,000 00
Special appropriations,	6,179 53
State officers' contingent fund,	2,969 05
State House appropriation,	4,585 71
Treasurer's salary account,	800 00
Stationary account,	4,674 25
	$116,083 73
Medical College at Keokuk,	5,000 00
	$121,083 73

STATEMENT B.—Showing an estimate of the necessary expenditures for the two years commencing November 1st, 1854, and ending October 31, 1856:

Agricultural societies,	5,000 00
Governor, Superintendent, Secretary, Auditor, Attorney General, Treasurer, and Librarian's salaries,	9,300 00
Blind Asylum,	6,000 00
Deaf and Dumb,	4,000 00
Funded debt—bonds now due,	16,442 00
General contingent fund,	2,000 00
Interest account,	13,000 00
Judges' salary,	24,000 00
Miscellaneous disbursements,	6,000 00
Penitentiary,	6,000 00
Supreme Court expenses,	2,000 00
State printing,	7,000 08
State officers' contingent fund,	3,000 00
State House,	6,000 00
Stationery,	5,000 00
Legislative expenses and other special appropriations,	25,000 00
	$139,742 08

STATEMENT (C.)

Resources of the State, November 1, 1854.

Counties.	Amount due on 1853, and previous.	Amount due on assessment of 1854.	Total.
Adair,			
Adams,		44 31	44 31
Appanoose,	$1,119 66	1,117 90	2,237 56
Alamakee,	123 29	875 98	999 27
Benton,		797 25	797 25
Blackhawk;	34 83	644 75	679 58
Boone,		403 10	403 10
Bremer,	54 28	356 31	410 59
Buchanan,	12 66	748 11	760 77
Butler,		70 51	70 51
Cass,	72 41	100 00	172 41
Clark,	18 06	443 42	461 48
Cedar,	826 09	2,808 13	3,634 22
Chickasaw,		270 18	270 18
Clayton,	785 05	2,395 41	3,180 46
Clinton,	696 58	2,574 63	3,271 15
Dallas,	40 47	572 03	612 50
Davis,	547 93	1,615 87	2,193 80
Decatur,	22 25	504 82	527 07
Delaware,	32 23	1,004 98	[illegible]
[illegible]		496 30	496 30
Guthrie,	53 81	220 13	273 94
Greene,		38 83	38 83
Hardin,		94 48	94 48
Henry,	48 33	2,910 01	2,958 34
Harrison,		62 50	62 50
Iowa,	22 03	821 27	843 30
Jackson,	80 41	2,938 05	3,018 46
Johnson,	560 15	3,306 42	3,866 57
Jones,	614 24	1,345 05	1,959 29
Jefferson,	427 03	2,012 36	2,439 39
Jasper,	336 50	1,208 27	1,544 77
Keokuk,	48 88	2,073 93	2,122 81
Lee,	2,392 27	6,633 41	9,025 68
Linn,	335 78	3,441 81	3,777 59
Lucas,	48 85	375 00	423 85
Louisa,	849 09	2,354 51	3,203 60
Madison,	103 68	938 22	1,041 90
Mahaska,	26 67	2,543 72	2,570 39
Marion,	206 94	2,063 21	2,270 15
Mills,	120 43	415 56	535 99
Monroe,	68 97	915 13	984 10
Montgomery,		20 66	20 66
Monona,		16 01	16 01
Marshall,	40 76	451 05	491 81
Muscatine,	530 86	4,103 16	4,639 02
Page,	7 04	136 88	143 92
Polk,	1,099 77	1,732 87	2,832 64
Pottawatamie,	669 31	797 27	1,466 58
Poweshiek,		895 77	895 77
Scott,	1,541 13	4,801 45	6,342 58
Story,	19 01	165 68	184 69
Shelby,		28 30	28 30
Tama,	14 01	345 75	359 79
Taylor,	28 22	50 00	78 22
Van Buren,	546 23	2,878 33	3,424 56
Union,		13 11	13 11
Washington,		2,314 53	2,314 53
Wayne,	41 51	208 41	249 92
Wapello,	1,435 64	1,922 88	3,358 52
Warren,	148 53	1,000 00	1,148 53
Webster,		111 45	111 45
Winneshiek,	116 95	1,093 82	1,210 77
Woodbury,		50 00	50 00
Total,			$109,191 42

STATEMENT—D.

Showing the number of polls, acres of land, with the value of the same; the value of town lots, with their improvements; and the value of all other property, assessed in the several counties, in the year 1854.

Counties.	No of polls	Acres of Land.	Value of Land with improvement.	Value of town lots.	Value of capital employed in merchandize.	Value of capital employed in manufac'ng	Horses.	
							No.	Value.
Adair,								
Adams,		6,659	15,006	2,517			67	3,390
Appanoose,	844	191,634	628,308	28,922	21,501	4,525	1,396	74,055
Allamakee,	781	198,651	473,106	49,344	22,100	1,500	552	36,795
Benton,	400	113,076	472,685	19,404			764	47,271
Blackhawk,	500	88,903	379,724	48,678			361	18,503
Boone,	330	63,419	225,180	6,915	8,303	2,600	468	23,535
Bremer,	234	81,406	208,751	8,625	5,140	7,450	362	13,184
Buchanan,	500	107,750	358,003	59,115	16,701	9,161	686	43,151
Butler,		9,029	33,381	500			111	5,645
Cass,								
Clarke,	272	81,600	263,571	8,185	3,918		381	20,335
Cedar,	1,263	335,237	1,646,563	79,162	26,999	7,241	2,870	164,203
Chickasaw,	97	78,727	191,448	2,754	4,067		81	3,681
Clayton,	1,429	316,712	1,149,478	267,879	62,965	27,261	1,820	115,889
Clinton,	1,076	356,063	1,450,678	214,725	37,373	8,700	1,937	119,063
Dallas,	304	100,107	319,555	6,112	2,575	4,700	745	35,150
Davis,	1,742	251,383	771,608	70,229			2,939	125,092
Decatur,	426	91,769	244,498	5,242			758	36,503
Delaware,	818	237,100	572,614	27,710	15,250		1,175	55,248
Des Moines,	2,614	238,431	2,069,382	1,244,634	274,897	38,330	4,338	210,986
Dubuque,								

STATEMENT (D.) CONTINUED.

Counties.	Number of cattle.	Value of cattle.	No. of mules	Value of mules.	Number of sheep.	Value of sheep.	Number of hogs.	Value of hogs	Value of all other property	Total value.
Adair,										
Adams,	356	7,089			129	166	129	312	6,973	35,454
Appanoose,	5,016	77,145	18	937	3,458	5,170	9,363	12,572	41,189	894,325
Allamakee,	3,795	70,036	8	295	682	1,282	4,562	10,189	36,146	700,794
Benton,	2,093	26,535	13	540	1,004	2,048	4,061	8,226	51,620	637,809
Blackhawk,	1,189	22,211			197	378	1,472	2,563	43,753	515,802
Boone,	1,305	22,345	3	96	952	1,486	3,646	5,718	26,485	322,663
Bremer,	1,025	16,537	4	270	220	401	1,179	2,479	20,219	285,056
Buchanan,	2,383	40,703	7	144	1,271	1,893	3,195	5,949	63,675	598,495
Butler,	489	9,141			101	150	343	1,003	6,591	56,411
Cass,									Estimated,	80,000
Clark,	1,315	25,232	3	48	604	1,138	1,519	3,785	28,530	354,744
Cedar,	7,679	116,427	47	2,215	4,152	5,553	16,645	27,890	170,264	2,246,516
Chickasaw,	472	6,625	5	250	102	147	409	795	6,450	216,154
Clayton,	7,431	157,084	32	1,865	2,634	4,621	10,926	21,817	107,475	1,916,334
Clinton,	7,627	125,554	36	1,204	2,007	2,892	6,503	16,410	75,113	2,051,712
Dallas,	2,136	32,078	32	1,350	1,539	2,810	1,047	8,221	45,083	457,634
Davis,	9,471	119,776	76	4,090	10,278	10,278	20,115	26,535	191,092	1,306,700
Decatur,	3,128	44,781	22	1,115	1,489	2,029	5,905	8,570	61,128	403,866
Delaware,	4,316	60,863	5	180	2,190	2,240	5,242	5,394	64,239	803,738
Desmoines,	14,841	174,464	267	15,366	9,446	9,494	37,449	52,607	380,172	4,470,333
ubuque,									Estimated,	5,000,000
tte,	3,228	52,068	6	420	986	1,479	3,256	6,386	12,200	683,124
rement,	4,190	55,713	22	1,425	329	268	4,823	8,035	33,497	397,046
urie,	857	13,603	4	210	279	373	1,909	2,555	16,521	176,117
ane,	198	5,541	3	42	224	381	381	678	12,651	38,074
din,	199	10,907	6	235	375	573	1,090	1,568	16,641	75,592
Harrison,									Estimated,	50,000
nry,	10,310	125,429	140	7,311	8,048	8,351	22,282	34,590	219,800	2,328,010
wa,	2,000	33,063	8	850	1,328	1,828	5,166	9,231	42,291	657,022
Jackson,	11,273	185,620	7	515	4,914	8,985	16,502	35,222	138,166	2,350,441
Johnson,	7,592	121,066	47	3,760	4,981	6,919	14,324	24,676	185,195	2,645,148
Jones,	6,061	89,767	27	1,092	3,120	4,396	11,892	18,753	56,731	1,076,848
asper,	3,158	52,805	32	1,044	1,897	2,560	6,465	11,710	104,222	966,620
efferson,	12,035	120,974	137	6,235	10,543	8,524	28,310	31,603	164,469	1,609,892
ekuk,	7,202	108,770	91	4,145	5,754	6,844	14,338	25,779	136,838	1,659,15
ee,	17,839	224,579	224	11,740	7,292	10,040	24,647	56,266	545,385	5,306,7324
Linn,	8,856	137,199	36	2,730	5,373	6,626	19,391	35,972	185,458	2,753,459
as,									Estimated,	300,000
isa,	8,998	114,186	78	4,566	3,680	4,620	23,520	40,951	164,686	1,883,619
dison,	2,856	41,942	27	1,740	2,263	2,653	5,762	7,926	49,640	750,586
haska,	10,834	124,138	94	4,724	9,263	9,379	26,145	37,685	195,399	2,034,983
rion,	8,674	129,194	51	2,925	6,899	7,446	20,721	26,566	128,816	1,650,578
lls,	2,746	39,686	17	675	1,424	1,839	4,266	6,849	29,661	332,454
onroe,	4,217	63,951	45	2,105	4,340	4,657	9,418	16,199	67,170	732,116
ntgomery,	201	4,561	2	160	101	126	552	1,114	2,405	16,539
Monona,	489	8,593			144	144	116	160	2,576	12,810
shall,	1,342	21,593	2	100	828	1,078	2,453	3,934	21,953	360,849
uscatine,	7,757	109,112	57	3,081	2,716	3,440	13,145	18,634	184,149	3,286,534
,	1,110	20,893	4	165	1,089	1,989	2,719	4,045	18,121	109,518
,	4,461	62,314	53	2,089	3,349	5,059	10,431	16,226	113,344	1,386,309
watamie,	3,493	52,999	31	1,510	499	520	3,159	6,118	52,643	637,820
hiek,	1,983	25,595	9	700	1,232	1,576	5,013	5,977	36,749	716,621
,	11,137	128,745	35	3,350	3,639	3,805	28,058	27,950	839,746	3,841,116
,	686	11,270	7	255	280	406	1,035	1,751	11,133	132,557
y;	446	7,887	2	190	236	223	571	1,016	1,937	22,643
,	1,044	17,701	2	90	183	279	1,205	3,482	21,663	276,605
r,									Estimated,	40,000
an Buren,	12,534	138,792	141	5,653	11,081	12,729	22,860	38,080	212,127	2,302,675
	82	1,696			2	2	153	329	541	10,496
gton,	8,809	131,501	85	4,688	5,685	5,991	17,501	36,374	200,687	1,851,639
	1,378	21,628	11	480	935	1,494	3,194	5,495	25,720	166,731
,	9,003	115,249	100	5,230	10,590	9,978	24,594	32,083	167,816	1,538,308
									Estimated,	800,000
	632	9,223	3	110	394	606	1,158	2,041	10,680	89,164
ick,	3,441	72,118	8	250	791	1,500	2,358	8,039	48,754	875,066
y,									Estimated,	40,000
	[illegible]	277	2232	$116,955	169,542	$204,061	611,923	$873,103	$5,904,278	$72,827,204

STATEMENT—E.

Showing the number of polls, acres of land, with the value of the same; the value of town lots, with their improvements; and the value of all other property, assessed in the several counties, in the year 1853.

Counties.	No of polls	Acres of Land.	Value of Land with improvement.	Value of town lots.	Value of capital employed in merchandize.	Value of capital employed in manufac'ng	Horses. No.	Horses. Value.
Appanoose,	537	152,395	406,407	17,552	21,977	4,041	1,175	43,970
Allamakee,	689	159,486	280,176	33,800	14,780	4,725	426	14,848
Benton,		59,913	190,989	7,133			492	22,703
Blackhawk,		35,164	61,811	587			184	8,375
Boone,		20,873	61,049	1,800			413	18,091
Bremer,	130	8,729	11,964		3,177		220	10,050
Buchanan,	321	63,205	175,066	19,419	6,180		364	18,451
Cass,	84				300	700	81	4,080
Clarke,	148	35,763	77,428	2,073			152	4,860
Cedar,		217,561	844,240	64,053			2,306	111,576
Clayton,	1,347	343,933	1,007,665	20,696	42,861	43,517	1,560	77,710
Clinton,	804	201,633	750,865	57,780	25,000	1,005	1,544	75,916
Dallas,	246	55,172	152,052	2,596	1,479	500	512	21,320
Davis,		236,937	706,793	51,696			2,712	106,635
Decatur,	339	18,004	105,089	300			307	15,282
Delaware,	616	143,234	371,321	22,556			889	43,382
Des Moines,		237,772	1,976,181	1,182,902	256,515	40,700	3,817	164,817
Dubuque,	2,464	355,595	1,796,602	1,306,456			2,827	149,403
Fayette,		119,767	258,380	15,102			452	24,090
Fremont,		3,844	17,562				401	22,395
Guthrie,	82	3,563	34,525		100	1,500	113	4,828
Henry,	1,698	241,999	1,232,074	170,834	69,564	7,852	3,001	128,814
Iowa,	239	72,180	203,813	5,669			485	7,130
Jackson,	1,808	335,055	1,431,902	137,995	43,459	5,734	2,622	130,324
Johnson,		242,845	952,399	276,026			2,071	100,229
Jones,	864	191,439	625,362	31,444	12,343	3,000	1,391	69,738
Jasper,	379	84,248	282,828	16,689	13,495	5,860	790	34,664
Jefferson,		240,758	840,181	112,637			3,296	104,264
Keokuk,		172,866	572,988	39,060			1,962	90,651
Lee,	3,441	318,200	1,841,895	1,208,887	284,309	25,635	5,091	218,395
Linn,	1,375		1,087,439	176,660	67,010	16,182	2,904	143,486
Lucas,	224	45,595	93,814	3,994	22,364	300	284	15,930
Louisa,	1,135	179,840	906,839	58,607	40,940	10,664	2,227	99,900
Madison,	371	65,125	193,185	14,290			639	26,278
Mahaska,		240,775	989,536	111,859			2,716	122,714
Marion,	1,347	251,550	681,207	66,195	30,013	5,228	2,146	87,271
Mills,	280	8,430	20,712	1,481	11,400	800	520	17,115
Monroe,		123,839	366,658	17,640			1,141	45,691
Marshall,		28,952	75,306	2,131			261	12,666
Muscatine,	1,300	211,678	1,028,120	562,637	138,685	29,297	2,329	109,225
Page,							234	11,188
Polk,		151,683	664,972	92,764	28,311	6,380	1,415	67,073
Pottawatamie,	363				35,100	2,400	532	16,517
Powashiek,		43,451	134,953	4,569			483	21,637
Scott,	1,840	285,029	1,355,439	728,343			2,930	126,871
Story,	88	11,378	26,622				113	4,500
Tama,	78	31,121	64,420				102	4,935
Taylor,	92						134	5,639
Van Buren,	2,286	284,422	1,229,444	218,239	62,342	37,444	3,894	160,962
Washington,		190,918	698,655	77,207			2,255	84,922
Wayne,		31,489	59,479	1,164			280	13,155
Wapello,		216 708	741,269	148,145			2,693	104,432
Warren,	605	125,873	415,218	16,332			1,078	49,875
Webster,		560	820				73	2,794
Winneshiek,		66,643	123,392				313	16,972
Total,	27,620	6,977,192	27,527,106	7,108,002	1,231,704	258,464	73,558	3,218,759

BIENNIAL REPORT

OF THE

SUPERINTENDENT

OF

PUBLIC INSTRUCTION

TO THE

Fifth General Assembly

OF THE

STATE OF IOWA.

IOWA CITY:
BY A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

REPORT.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION,
IOWA CITY, IOWA, DEC. 4, 1854.

GENTLEMEN OF THE SENATE,
AND HOUSE OF REPRESENTATIVES:

The law makes it my duty to report to you a full statement of the progress of our common schools, and the condition of the School Fund of the State.

Since I have entered upon the duties of Superintendent of Public Instruction, I have visited about forty-six counties, and examined the books and papers in the offices of the School Fund Commissioners of forty counties, and I am happy to state that so far as my examinations have been made, I have found no defalcations by any of the present incumbents; but I must say that the business of the majority of the officers is kept in a careless and confused manner, so much so, that in many instances it would be impossible for any man, I care not how good an accountant he might be, to understand anything about the accounts, if it were not for the information received from the School Fund Commissioner himself.

This is a strong argument in favor of a change in this office, not that I would impeach the honesty of any Commissioner I have had the pleasure of meeting, but we all know

that many honest and popular men are not competent to keep a set of books which will be intelligible to others. Many of the reports made to this office were of such a character that it was impossible to understand them.

In travelling over the State, I have lectured at a number of places, and find the people generally manifest an interest in educational matters, and particularly that of our Common Schools.

In many of the older counties that I have travelled through, the citizens have gone to work with a liberal and praiseworthy spirit in erecting large and commodious buildings for educational purposes. The city of Keokuk takes the lead in having the finest building in the State, in the erection of which the citizens have expended nearly ten thousand dollars; and with a liberal spirit, they pay the Superintendent of the school eight hundred dollars per annum.

Fort Madison, Burlington, Muscatine, Davenport, Lyons Anamosa, Colesburgh, Marion, Rochester, Tipton, Denmark, Primrose, West Point, Centerville, Oskaloosa, Cedar Falls, and many other towns, have erected buildings, which will stand as lasting monuments of the liberality of those engaged in so glorious an enterprise, and an honor to our young State.

I shall endeavor to visit each county in the State during the next year, and deliver lectures wherever opportunity may offer, on the subject of education, and our School system more particularly.

STATE UNIVERSITY.

The Fund belonging to the State University, when all the lands are sold, will amount to near two hundred thousand dollars, and by loaning that at the legal rate of interest, the available fund for the use of the University, each year, will be about twenty thousand dollars, which will enable the Trustees to employ an able and efficient corps of Professors.

With this Fund, and its proper management by the Trus-

tees, the friends of education and citizens of Iowa can look forward to a day, not far distant, when we will have a University in successful operation within our own State, where the sons and daughters of the citizens of Iowa can be as thoroughly educated as in any institution in the Mississippi valley.

The Trustees have taken the preliminary steps to open the University for the reception of students, which will be ready in a few weeks, and the Institution will be in successful operation. I here take pleasure in stating that we have engaged the services of a gentleman of the first order of talent, and of many years' experience as a teacher, as President of the State University of Iowa, and that we expect him to be in this city in a few days, to enter upon the duties assigned to him.

As soon as the President arrives, steps will immediately be taken to put the University in operation with a full corps of Professors, and we expect to be able to present such inducements to the citizens of our State, for obtaining a thorough education for their children, that there will be no necessity for patronizing schools in other States, by sending them out of Iowa.

There have been sold eighteen thousand and twenty-eight acres of the University lands, for the sum of fifty-eight thousand five hundred and seventy-one dollars and thirty-one cents, ($58,571,31.) Cash received on the above sales, nineteen thousand eight hundred and ninety-six dollars and nine and a half cents, ($19,896,09½.) Notes for the deferred payments, amounting to thirty-eight thousand six hundred and seventy-five dollars and twenty-one and a half cents, ($38,175,21½.)

Total amount of sales up to this date, fifty-eight thousand five hundred and seventy-one dollars and thirty-one cents, ($58,571,31.)

The average price of lands sold is three dollars and twenty-five cents ($3,25) per acre.

There are twenty-eight thousand and fifty-four acres of University lands remaining unsold, which I think will sell for nearly five dollars per acre.

The University Fund, arising from the sales above referred to, has been paid into the Treasury of the State, and the Treasurer has loaned the principal out in sums not exceeding five hundred dollars to any one person, secured by real estate, at ten per cent per annum, payable on the first day of January of each year.

BRANCHES AT FAIRFIELD AND DUBUQUE.

By an Act of the General Assembly, approved January 15th, 1849, there was a branch of the State University established at Fairfield, and one in the city of Dubuque by an act approved January 16th, 1849. I believe the Trustees have never organized the branch located in the city of Dubuque.

At Fairfield, the Trustees proceeded to organize and erect a building, but what they have done I am wholly unadvised, as I have received no official communication from them.

NORMAL SCHOOLS.

The State is divided into three districts, in each of which there was to be established a Normal School for the education of Teachers for our Common Schools. The law establishing said Schools, located them at Oskaloosa, Mount Pleasant and Andrew. I am not informed what steps have been taken by the Trustees to effect an organization, or comply with the law, as I have received no report from them.

MEDICAL DEPARTMENT OF THE STATE UNIVERSITY.

I have received no Report from the Dean of the Faculty of the Medical Department of the State University of Iowa,

nor do I think it his duty to report to me, or any person connected with the State University, from the fact that the Medical College located in the city of Keokuk, is only responsible to its own faculty, and not to the Trustees of the State University. I would therefore most earnestly recommend to you the importance of separating it entirely from the State University, and giving it a separate organization.

The best interests of the State University demand that the law, making the College of Physicians and Surgeons located in the city of Keokuk the Medical Department of the State University of Iowa should be repealed, and that the entire University Fund be concentrated upon one object, and the building up of one Institution, and not have it squandered by dividing it on different schools in various parts of the State, as by such means we will not be able to sustain a respectable Institution in the State. One Institution of Learning, well sustained, is of more advantage to the people at large, than twenty only in name, as many of our Colleges are in this State One University, with an able corps of Professors, and properly managed, will be sufficient for the accommodation of all the students who will attend a State University, and besides that, will be a credit to the State.

SCHOOL LANDS.

The greater part of the School lands, granted to the State under the Act of Congress of the 4th of September, 1841, known as the "Five Hundred Thousand Acre Grant," have been ordered into market, and sold under the administration of my predecessor, Hon. Thomas H. Benton, Jr., to whose report I refer you for a more full statement. There are about one million of dollars in the hands of the different School Fund Commissioners within the State, which amount is loaned

at ten per cent per annum, and will yield a revenue for the support of District Schools, amounting to nearly one hundred thousand dollars per annum. It will be but a few years until this sum will be doubled, and by its proper management, it will prove a blessing to future generations.

There is yet a large amount of the sixteenth sections unsold in many of the organized counties, and when sold, will bring some two dollars per acre on an average, adding daily to our already large fund.

The most of the School Fund Commissioners have been furnished with books prepared at this office, for the purpose of keeping all their accounts uniform.

For a full statement of the condition of the School Fund, School Lands, sold and unsold, and the working of the system generally, I would most respectfully refer you to the Report of Hon. Thomas H. Benton, Jr., late Superintendent of Public Instruction.

SCHOOL FUND COMMISSIONERS.

I wish to say one word in regard to the salaries of School Fund Commissioners. Under the present law, they are paid out of the interest arising from the School Fund, at an average of about three hundred dollars per annum each. We have about sixty-five counties organized in the State, and putting the salaries at the above amount, we find in paying them, we abstract from the School Fund some nineteen thousand dollars, which should be applied to the education of the youth of our State. I would recommend that you provide for the payment of the School Fund Commissioners as other county officers are paid, and leave the School Fund to the object for which it was designed. The pay of School Fund Commissioners should be regulated by the amount of labor performed in the office, as some counties do not have work enough to keep a good business man employed two months,

while other counties would keep him occupied, at least, one-half his time.

It has been suggested that the office of "School Fund Commissioner" should be abolished, and that the County Judge and Treasurer should perform the duties of the same. I am inclined to the opinion that the business done by the School Fund Commissioners could be done by the above named officers at a saving of at least ten thousand dollars per annum.

LIST OF BOOKS.

Webster's Dictionary, Unabridged.
Webster's Dictionary, University Edition.
Webster's Dictionary, for Common Schools.

ANATOMY, PHYSIOLOGY AND HYGIENE.

First Book on Hygiene, by Calvin Cutter, M. D.
Human and Comparative Anatomy, Physiology and Hygiene, by Eunice P. Cutter.

CHEMISTRY.

Chemistry for beginners: by Mrs. A. H. Lincoln Phelps.
Lectures on Chemistry, by A. H. Lincoln Phelps.

ENGLISH GRAMMAR.

Pinneo's Primary Grammar.
Pinneo's Analytical Grammar.

GEOGRAPHY.

Mitchell's School Geography.
Mitchell's Universal Atlas.
Mitchell's Atlas of Outline Maps.
Mitchell's Series of Large Outline Maps.

NATURAL PHILOSOPHY.

Natural & Experimental Philosophy; by R. G. Parker, A. M.

ASTRONOMY.

Burritt's Atlas of the Heavens.

BOTANY.

Wood's Class Book of Botany.

ARITHMETIC.

Ray's Arithmetic—Part First.
Ray's Arithmetic—Part Second.
Ray's Arithmetic—Part Third.

ALGEBRA.

Ray's Algebra—Part First.
Ray's Algebra—Part Second.

BOOK-KEEPING.

Foster's Book-Keeping; Single and Double Entry.

HISTORY.

Parley's Illustrated History;
History of United States, by Emma Willard;
Willard's Universal History.

READERS.

McGuffey's Eclectic First Reader.
McGuffey's Eclectic Second Reader.
McGuffey's Eclectic Third Reader.
McGuffey's Eclectic Fourth Reader.
McGuffey's Eclectic Fifth Reader.
The Hemans Reader for Young Ladies.

SPELLERS.

McGuffey's Eclectic Spelling Book.

POLITICAL WORKS.

Exposition of the Constitution of United States, by James Bayard.

Political Grammar, by Edward D. Mansfield.

In making my selection of school books for this State, I have endeavored to select such works as would be best adapted to the wants and interests of the people at large, without any regard to the many solicitations from publishers and book agents.

The books above recommended contain all that is calculated to elevate the moral character of the rising generation, without the least sectarian bias; and I think this one of the most important features in any work gotten up for a school book, that is a candidate for public favor.

It would be unnecessary for me to urge anything in favor of Webster's Dictionaries. They have a character that no other works of the kind ever attained in this country. In fact, they stand without a rival in the annals of English lexicography. His Unabridged Dictionary is emphatically the greatest work of the age, and I respectfully ask at your hands the power to place one copy of this work in every School District in the State, as it is the only correct defining dictionary in the English language, and if we wish the teachers and pupils to understand the meaning of technical terms and words hard to be understood, then let us place this great American work upon the desk of every public school teacher in the State.

Prof. McGuffey's Readers and Spellers, and Ray's Arithmetics and Algebras are used in most of the Public Schools in the Western, Southern and Middle States, and have received the approval of many of the most eminent educators and friends of education throughout a large portion of the United States.

In the selection of text books, I have endeavored to do the best I possibly could, to advance the educational interests of the State at large, and I hope the friends of education throughout the State will give the foregoing educational series a careful examination, and a fair trial in our schools. It is evident to every person that a *uniform* series of books to be used

our schools is absolutely necessary to the advancement of the pupil, and that it is a great saving to the parents, and we call upon parents and teachers throughout the State to assist us in bringing about so desirable an object.

BLIND ASYLUM.

An institution for the instruction of the blind was organized and put into operation, in this city, in the spring of 1858, and placed under the charge of Prof. S. Bacon, Principal, and Prof. Thomas J. McGittigen, Teacher of Music, and Mrs. Bacon, Matron.

It has been with the greatest difficulty that a suitable building could be procured at any price, for the accommodation of the pupils, and the one now occupied by the school is entirely inadequate to accommodate a large class, and we could not find room for one half the number who wish to attend the school.

I would, therefore, most respectfully urge the absolute necessity of the General Assembly, making ample provision for the education of this unfortunate class of our citizens, by providing for the erection of suitable buildings, and the purchase of books, maps, and necessary apparatus for the use of the institution.

Many of our sister states have erected commodious buildings, and provided for the instruction of the blind in many of the mechanic arts, as well as give them a liberal literary education.

The teachers in charge of the Asylum appear to be devoted to the best interests of the pupils, and look to their moral as well as mental training. The pupils all appear to be well pleased with their teachers and new home, and are getting along rapidly with their studies.

I would ask that all the pupils in the asylum be placed on an equal footing, as to pay, and that it be made a *free* school for *all*, rich and poor; and by these means we will be enabled to

do away with the unpleasant distinction we are compelled to make under the present law, of having charity and paying pupils in the same school.

I believe it is the wish of all persons connected with the Asylum to have the name changed from that of "Blind Asylum," to that of "Institution for the Instruction of the Blind," to which I would ask your early and favorable attention.

I refer you to the Report of the Principal of the Asylum for a more full history of its present condition and prospects.

REPORT OF THE PRINCIPAL TO THE OVERSEERS.

Gentlemen:

In presenting this Report, I do not conceive it necessary to give any arguments in favor of the establishment of institutions for the unfortunate, where such institutions have multiplied with such unparalleled rapidity, and have been fostered with such care, as they have in the United States.

From the most remote antiquity there have been numerous examples of the blind who were distinguished for their various acquirements, yet the idea of rearing up institutions for the instruction of the blind is of recent origin. Abbe Hauy has the honor of making the first attempt at any thing of the kind for the instruction of this unfortunate class of our fellow beings. This was in the year 1784. Six years later, his school was taken under the patronage of the French Government. Soon after this, schools were established in most of the European states. Preliminary steps were taken for the establishment of one by the citizens of Boston, in 1829; soon New York and Philadelphia followed in this benevolent enterprise. From these have sprung the different institutions for the instruction of the blind which are scattered throughout our happy country. There are now eighteen in the United States, and all but three or four of the States have made some provision for the education of their blind.

This Institution was opened on the fourth of April, A. D. 1853, and continued in session until June 24th, 1854, when, by your direction, it was closed to open again on the fourth of September, the commencement of the present session.

In accordance with your instructions, I attended a Convention of the Teachers of the Blind, held in the city of New York on the 16th, 17th, and 18th of August, 1853. Many topics of interest were discussed, particularly that of printing for the blind. The Convention adjourned after appointing a committee to memorialize Congress for a grant of public lands to aid in the building up and support of institutions for the instruction of the blind in the different States and Territories in the United States.

Probably this was the first convention of the kind ever convened, and certainly it was the first in this country. This convention was well attended. The Principals of fourteen Institutions were present, representing some twenty States.

While in New York I obtained several donations of books for this Institution, and made such purchases as you directed; yet we are in great need of more books, instruments, and other apparatus. The progress of the pupils is greatly retarded for the want of them, but I cannot urge their purchase without there are more means placed at your disposal.

The course of instruction and division of time is as follows: The pupils rise at 5½ o'clock, A. M., geography from 6 to 7 o'clock, breakfast and recess from 7 to 8 o'clock, arithmetic and algebra from 8 to 9 o'clock; recess ten minutes. One hour vocal music, ten minutes recess, one hour grammar and writing, ten minutes recess, one hour instrumental music and reading raised print, dine 12½ o'clock, P. M.; recess to 2 o'clock, P.M. From 2 to 5 o'clock the pupils are engaged in some kind of work, the males in the manufacture of brooms, and the females in sewing, knitting, and bead work. Supper at 5½ o'clock, recess to 7; from 7 to 8 o'clock, history. Younger pupils retire at 9 o'clock, the older ones at 10 o'clock, P. M. In addition to the above course, the pupils receive instruction on the piano forte, and a small class in geometry. The news of the day is read to the entire class from the various papers sent to the Institution gratis. The pupils evince a great interest in their different pursuits, and feel thankful that there is a place provided for their education.

The discipline is mild, but firm, and free from corporeal punishment. The plan of instruction is oral. No sectarian views are taught, but a due reverence and respect for the Supreme Being is inculcated at all times in the Institution.

If the weather will permit, all the pupils are expected to attend church on the Lord's day.

Generally, our household has been healthy, not one of the members of the Institution has lost a day from school on account of sickness. This is a little remarkable, as the blind, from their sedentary habits, are predisposed to diseases of various kinds. The number of pupils have not increased as fast as we could desire for several reasons. First, for the want of means to make the proper exertions to induce them to leave their homes. Secondly, the objection of parents to comply with the law; and, lastly, for the want of room to accommodate them.

I would most respectfully suggest the propriety of changing the name of the Institution from "Asylum for the Blind," to that of "Institution for the Instruction of the Blind," for it is not an Asylum; and the repealing of Sec. 5, of the law establishing the Asylum, or so far as it makes a distinction between rich and poor, a distinction which is very prejudicial to the interests of any institution of learning.

It is true there is not much to be feared from the above distinction at present, as it is not likely there is a single blind person in the State who is really able to defray the expenses attending an education. It is worse than useless to require the parents to produce a certificate of their inability to defray the expenses of educating their blind child, for all look upon this as a degradation, which some will not submit to, preferring to rear their children in ignorance, thereby adding to the misfortune of physical blindness that of mental darkness.—Iowa stands alone among the Western States in this restriction. It is to be hoped that she will adopt as liberal a policy as that of her sister States, educating all her blind, deaf and dumb free of charges.

It is with pleasure that I can speak in the highest terms of praise in regard to the conduct of all under my charge.

A. Keithley, Teacher of Mechanics, discontinued his connection with the Institution on the 16th of October last. His place has been temporarily supplied by C. M. Lee. The pupils have made fine progress under their Music Teacher, T. J. McGittigen, who bids fair to become a superior instructor in that branch.

The duties of Matron and Housekeeper have been dis-

charged by Mrs. Bacon since the opening of the school in this city. Some change should be made, for the duties to be performed by the Matron are so onerous that I would most respectfully recommend the appointment of an assistant Matron.

As to the policy pursued in this Institution, I can only say that I have had but one object in view, and that is to elevate the condition of the blind, and thereby place them in their true character before the public, and in so doing, make them intelligent and useful citizens.

It is confidently believed that the blind, with the proper instruction, will be able to maintain themselves free of charge from their friends or the State. There will be as few exceptions among this class, according to their numbers, as among those who have their sight.

Many experiments will yet have to be made, as the education of the blind is yet only in its infancy; but this Institution has the experience of many others before it, and our endeavors shall be to avoid all the errors of the past; and if we should fail in our effort, it will be a lack of judgment, and not of interest on our part.

I can not close this Report without respectfully urging upon you the necessity of the erection of a suitable building for the school. The one we now occupy is the largest that can be obtained in the city. It is now filled to its utmost capacity, even more than prudence would permit if we could do otherwise. If we should have a protracted case of sickness among our number, it would be impossible to attend to it in the house. It is utterly impossible to carry out the design of the Legislature in educating all the blind of Iowa, without a suitable building for the reception of scholars.

In the erection of a building, I would, therefore, respectfully recommend the selection of some suitable site in the city, and that the building be large enough to accommodate at least fifty pupils. Probably this will be ample for several years, and when it becomes insufficient to supply the wants of the people, we will be able to erect more commodious and permanent buildings, which will do credit to our young and growing State, and locate the same to suit the convenience of our increasing population; and at that time the old buildings can be disposed of with but little loss to the State. If a contrary

policy be pursued, it must be many years before the blind of our State can be received into school, and many of them will have passed the most important period of life before receiving instruction, and the evil, in many cases, will be irreparable; and to prevent this, the blind of Iowa most respectfully and earnestly call upon you, their legal guardians, to make an effort to increase the capacity of this Institution to impart instruction to them.

In conclusion, allow me, gentlemen, to express to you the hope that the good understanding and kindness which has marked your intercourse with me may be continued. All of which is respectfully submitted.

S. BACON, *Principal.*

No.	Names	Ages	Residence.	Places of Nativity.	Sex.	Dates of Admission.
1	James R. [illegible]liland,	25	Johnson county	Pennsylvania.	Male.	April 4th, 1853.
2	Agnes Walters,	21	Iowa "	Ohio.	Female.	" 5th, "
3	Josephine Porter,	14	Johnson "	Indiana.	"	" 29th, "
4	Mary Bushnell,	17	Lee "	Iowa.	"	May 12, "
5	William Gunn,	17	Camanche "	Michigan.	Male.	" 24, "
6	S. L. Grady,	17	Jefferson "	Illinois.	"	June 6, "
7	A. Lett,	15	Cedar "	Ohio.	"	" 28, "
8	Rhoda Bowen,	29	Johnson "	"	Female.	July 16, "
9	John Stafford,	24	Lee "	Ireland.	Male.	" 19, "
10	William Adair,	15	" "	Illinois.	"	Nov'r. 19, "
11	Mary Trimble,	16	" "	Indiana.	Female.	" 10, "
12	John Bonn,	12	" "	Iowa.	Male.	October 27, "
13	Mary Ann Bonn,	21	" "	New York.	Female.	" 27, "
14	John Chance,	21	Des Moines "	Pennsylvania.	Male.	" 29, "
15	Thomas Duff,	8	" "	Scotland.	"	December 14, "
16	Jacob Niermeyer,	10	Marion "	Netherlands.	"	" 24, "
17	James Ronalson,	21	Desmoines "	Scotland.	"	September 6, 1854.
18	Albert Terwilliger,	17	Jones "	New York.	"	February 6, "
19	Rebecca Cameron,	13	Dubuque "	Pennsylvania.	Female.	" 6, "
20	Phebe M. Caldwell,	13	Van Buren "	"	"	May 22, "
21	John F. Wendell,	19	Jackson "	"	Male.	November 6, "
22	Eliza Jane Stephenson,	22	Keokuk "	Illinois.	Female.	" 11, "
23	John Poff,	19	" "	Indiana.	Male.	" 17, "

[B.]—DONATIONS *to the Asylum for the Blind, located at Iowa City, Iowa:*

By the American Bible Society, 2 copies of Bible and Psalms,	$44 80
By D. S. Miller, of Philadelphia, 6 copies of Common Prayer,	18 80
By T. Butler, of New York, 2 Copies of Common Prayer,	6 00
By American Tract Society, Miscellaneous Books,	6 50
By American Sunday School Union, Miscellaneous Books,	5 00
Keokuk Dispatch,	2 00
Fairfield Ledger,	2 00
Iowa Capital Reporter,	2 00
Iowa Republican,	2 00
Dubuque Herald,	2 00
Miner's Express,	2 00
Total amount of Donations,	$92 36

[C.]—RECEIPTS AND DISBURSEMENTS *of Blind Asylum, located at Iowa City, Iowa.*

Appropriation by the General Assembly,	$2,000 00
Drawn on Pupils,	2,889 50
Total amount of receipts,	$4,889 50
For teachers' salaries, rents, repairs, and all other expenses, and disbursements,	
Total amount,	$4,889 50

DEAF AND DUMB.

An Institution for the instruction of the Deaf and Dumb has recently been opened in Iowa City by Prof. H. C. Ijams, late of Illinois. His success as a teacher thus far has met the expectation of the most sanguine friends of the Institution, and it is confidently believed that the number of pupils will be at least twenty the present session.

The basis upon which Prof. Ijams has opened this Institution is the provision in the Code, chapter seventy-three, providing for the instruction of mutes.

From the best information I am able to get on this subject, there are within our State about one hundred mutes, whose appeals, though silent, should not be neglected by the more fortunate part of the citizens of the State. I would most earnestly and respectfully urge your early attention to this matter, and I trust you will make ample provision for the instruction of every mute within the borders of our young and growing State, extending the blessings of your wise legislation to every one's door, like the dews of Heaven, without any distinction between rich and poor.

I have issued certificates in favor of the following mutes, as directed in chapter seventy-three, Code of Iowa:

Jacob J. Middleton, Washington County, Iowa; age, thirteen years.

Julianna Hawk, Johnson County, Iowa age, twenty-three years.

Columbus Henderson, Washington County, Iowa; age, twenty-two years.

George H. Foy, Cedar County, Iowa; age, fourteen years.

Mary Elizabeth Folwell, Madison County, Iowa; age, eleven years.

Mary Hughes, Jones County, Iowa; age, fourteen years.

SCHOOL JOURNAL.

Without some means for direct communication with the several districts and School officers of the State, our educational system will be incomplete. Communication by mail will be too burdensome and expensive to meet all exingencies of the schools that will arise.

In addition to the necessary instructions and laws, a Journal, properly conducted, would be a most powerful auxiliary in the dissemination of intelligence in regard to the condition and wants of our Public Schools, and the subject of education generally. The public mind must be aroused and enlightened in regard to the means and methods of actual instruction in the schools. To secure this, the medium of communication must be known and recognized as such by the people of the State. Access can then be had to all with but little delay.

It is believed that a Monthly Journal, sent to each organized district of the State, would afford the cheapest and most direct means for such communication. The expense of such a Journal would be trifling compared with the good it would of necessity accomplish.

Similar Journals have been established in other States, and the result has been uniformly good. The work of publication would be undertaken, it is believed, by individual enterprise, and properly sustained, if it can receive the subscription on the part of the State of a sufficient number of copies to furnish one to each School District. I would, therefore, respectfully recommend the passage of a law authorizing the Superintendent of Public Instruction to make such subscription, and that the expenses of the same be directed to be paid from the income of the School Fund.

Such Journal to be under the general control of the Super-

intendent, and to contain all laws and instructions relating to schools that he shall deem proper to publish from time to time, and such other matter as in his opinion will advance the educational interests of the State.

DISTRICT SCHOOLS.

The returns made to this department up to the first of November of the present year are incomplete, several counties having failed to make any returns in accordance with the requirements of the law; yet, by reference to another page of this report, it will be seen that Iowa, young as she is, already commands a prominent position, not only in reference to the magnitude of her School Fund, but in the progress she has made in the organization of her districts, and the general establishment of Free Schools.

According to the returns of the County Commissioners, there are twenty-three hundred and fifty-five organized School Districts in Iowa, and over one hundred and eleven thousand children between the ages of five and twenty-one years. When we consider, in connection with these facts, that our population is increasing with a rapidity almost unparalleled in the history of any country, and that in a very few years we shall equal in numbers the most populous of the Eastern States, it becomes apparent that we cannot be too active and vigilant in all that pertains to the education of the youth of our State, who are so soon to control the destiny of a great Commonwealth.

While we congratulate ourselves upon the possession of so magnificent a School Fund, as has been secured to us by the action of the General Government and our State Legislature, we must not forget that much remains to be done on the part of the people themselves, before we shall fully enjoy the advantages of a universal system of Free Schools, of a character commensurate with the object of their organization, viz: to give

to every son and daughter of Iowa a thorough knowledge of all the essential elements of a good practical education.

A portion only of the School Fund of the State being at present available, it becomes essential that a liberal spirit should be exercised in graduating the tax upon property which it is necessary to raise in order to supply the deficiency arising from the above cause, and to sustain, without interruption, the Free Schools which this appropriation was intended to support.

I trust that no argument is required to prove, that no more profitable investment can possibly be made by property holders, than that which, in the form of a tax, is appropriated to the purposes of education.

The enhanced value of real estate, by reason of its immediate proximity to good schools, is sufficient to remove any objection to the payment of the necessary tax, even on the part of those who are influenced by no higher motive than mercenary gain.

I have had the pleasure, during the past season, of visiting a large number of union, or graded schools, in the larger towns of the State, and have been very highly gratified in witnessing the many advantages they possess, when properly conducted, over those schools which maintain separate organizations.—Of course, these schools can only be maintained in towns or villages where there are a large number of scholars within a convenient distance of some central point.

It will be readily seen that a building, sufficiently commodious to accommodate several hundred scholars, can be erected for a much less sum than would be required in the erection of several smaller buildings, capable of containing the limited number of scholars ordinarily attending school in a single district.

The paramount advantages of these schools, however, is to be found in the classification and methods of instruction which can be adopted in a school where there are several departments,

over those where such classification is impracticable by reason of scholars of all ages, and of different degrees of proficiency, being thrown together promiscuously in one room.

Again, in the graded school, a child entering the primary department, without a knowledge of the alphabet, even, can advance from one department to another, as he progresses in his studies, until he graduates from the highest department with a thorough practical education, and fitted, it may be, to enter the University or College, if he desire a still more finished education than he has already acquired.

I have been especially pleased, in visiting these schools, with the proficiency of the scholars in the various departments, arising from their having the exclusive attention of a teacher whose business it is to instruct in those branches only which are suited to the attainments of the scholars in that particular department, and from the ambition created in the breast of the scholar to make such progress as will entitle him to take his place among the more advanced scholars in a still higher department.

Under the superintendence of a competent principal, aided by kind and experienced teachers, with a pleasant seat in a well ventilated and comfortable room, the pupil finds a pleasure in the acquisition of knowledge which tends greatly to promote his progress, and to enable him ultimately to revert with pleasure to his school-boy days, and to cherish a sentiment of gratitude towards those who were instrumental in providing him with the inestimable advantages which he enjoyed.

TEACHERS.

However liberal may have been our State and the General Government in their appropriations for educational purposes, and however great our care in the erection of suitable school edifices, and in the general arrangement of our school system, the friends of education in our State will be greatly disappoint-

ed in the result of their efforts, and the children and youth of Iowa will fail to receive the benefits intended in these provisions, if we fail to secure the most indispensable of all educational auxiliaries, viz: *competent and proper teachers:*

I can not too strongly urge upon those whose province it is to secure the services of teachers in the respective districts of the State, the importance of the utmost vigilance and care in their selections. "The office of teacher is one of grave duties, and high responsibilities. It involves the care of minds open to every influence, impressed by every object, and led by every example. The child is quick to see, and ready to follow. Its powers of observation mature before its habits of reflection, and are its only guide, as it is from the restraints of authority. The teacher should be circumspect in his actions, careful in his conversation; should possess temper and habits of a peculiar character. If deficient or unfaithful, he his unworthy of the trust. Literary qualifications, although indispensable, are not the highest requisites.

He should have studied the character of children, and be able to mould it into form—to shape and fashion it for the future character of the man or woman. He should be fitted to cultivate the morals, as well as the intellect; for the teacher leaves the impress of his own mind upon the mind of the child. He plants in the susceptible understanding of youth the germ of future good or evil.

The good lessons of years cannot efface principles inculcated by months of daily intercourse between the pliant child and the man confirmed in frivolity or evil. The toils and trials of a life-time will not obliterate the lessons of truth and wisdom, carefully instilled by the precept and example of the accomplished teacher."

I would earnestly recommend the employment of female teachers more generally in our Common Schools, for the purpose of instructing the younger scholars. During those years

in which the mind is the most plastic, and susceptible of lasting impressions, it seems peculiarly the province of female teachers to mould and fashion it. And the tender, patient care, so requisite to the proper development of these young plants, is much more naturally and prudently exercised by that sex, upon which devolves the earliest duties of the parent, in the nurture of the infant mind.

As appears from the returns of the County Commissioners, the average sum paid to the district school teachers of this State is less than twenty dollars to male, and less than ten dollars per month to female teachers. I am well aware that many districts are newly organized, and with a limited number of families can ill afford the expense incurred in the erection of school houses, and in the support of free schools. Still, making due allowance for these, and other unavoidable causes, it is painfully evident that the profession of teaching has not yet assumed its true position in the estimation of the great mass of our citizens. It is to be deplored that this, which should be the most prominent, as it is the most important, of all the learned professions, is made to yield in point of position in favor of other and far less worthy objects. And while in the various departments of manual labor, we do not hesitate to pay from one to three dollars per day for services rendered; and while also, we pay to our clergy salaries of from three hundred to twelve hundred dollars per annum; and to the legal and medical professions, whatever they choose to charge, the teacher whose high duties in reference to their controlling influence upon human destiny overshadows them all in the magnitude and importance of their results, must be content with a most shamefully inadequate and meagre compensation. I trust, however, that we shall soon witness a better appreciation of the services of teachers, throughout the different sections of our State.

I would here take occasion to solicit the co-operation of the

friends of education with the teachers of Iowa, in securing a uniformity of our school books, that parents may not be subjected to the expense, and scholars to the unprofitable interruptions, attendant upon frequent changes of books, such as have hitherto so often been made to gratify book agents, and such teachers as desired to introduce the books to which they were accustomed in the State, from whence they chanced to come.

Representing, as our teachers do, so many of the States of our Union, it will be readily seen that if they were respectively to require their pupils to procure the books used in their own States, such a variety would be fatal to all system and uniformity, and exceedingly detrimental to our educational interests.

I have thus briefly presented the foregoing facts and suggestions for your consideration, with the utmost confidence that you will pass such laws only as will be calculated to benefit the youth of the State, by establishing Free Schools in every District within its territory. I am very respectfully,

Your obedient servant,

JAMES D. EADS,

Superintendent of Public Instruction.

An abstract of the reports of School Fund Commissioners, for the period commencing October 15, 1853, and ending October 31, 1854, as shown by the following tables, marked A. and B.

(A.)

Counties.	Number organized [illegible]	Number of persons between five and twenty years.	Number of district schools.	Number of pupils in school.	Number of teachers employed.		Average compensation of teachers per month.		Number of days schools have been taught.	Number of volumes in library.
					Male.	Female.	Male.	Female.		
Adams,										
Alamakee,	32	1,245	12	358	6	9	$16 16	$7 25	741	
Appanoose,										
Benton,	18	999	7	138	1	5	16 66½	11 60	494	
Butler,										
Bremer,	12	408	2	68	1	1	16 50	8 00	130	
Boone,	12	561	9	223	6	2	14 40		429	
Blackhawk,	13	585	5	179	2	4	26 87	15 70	313	
Buchanan,		981	10	268	7	2	16 54	9 50	924	
Cedar,	211	3,665	53	1528	32	30	18 15	8 85	3,835	
Chickasaw,	3	157	1	21	1	1	20 00	10 00	66	
Clayton,										
Clinton,		2,221	36	464	15	23	19 20	8 94	2,550	
Clarke,	14	509	5	106	1	3	12 00	8 83	269	
Dallas,	72	872	12	253	7	5	17 09	9 27	699	

Davis,	69	4,409	68	1,720	42	23	16 06	10 38	3,449		
Decatur,	16	765	5	143	1	6	17 71		494		
Delaware,	136	1,861	2[illegible]	888	15	21	16 88	8 74	2,527		
Des Moines,	294	5,632	59	1,950	46	37	19 87	11 68	5,526	250	
Dubuque,	62	5,000	54	756	36	23	21 34	11 84	4,848		
Fayette,	33	1,169	21	669	7	19	15 28	7 05	1,896		
Floyd,											
Fremont,	17	1,003	12	256	11	5	18 91	8 00	387		
Guthrie,	9	327	3	190	1	1	25 30	10 00	272		
Harrison,	6	211	2	33	1	2	13 30	8 00	170		
Henry,	68	4,427	88	2,207	58	33	17 40	9 74	5,213	22	
Hardin,	3	212	1			1					
Iowa,											
Jasper,	22	1,507	17	562	11	4	17 76	9 37	705		
Jones,	43	2,299	22	415	11	9	14 35	7 27	988		
Jefferson,	70	5 065	88	3,622	68	36	20 35	9 97	7,441		
Johnson,	59	3,240	31	1,026	2[illegible]	27	16 35	8 21	2,819		
Jackson,	77	4,381	72	2,218	34	63	17 63	7 69	6,372		
Keokuk,	47	3,042	48	1,302	26	14	18 20	9 [illegible]	3,065		
Linn,	75	4,12[illegible]	52	1,459	3[illegible]	37	17 47	[illegible]	4,217		
Louisa,	55	2,79[illegible]	42	1,096	3[illegible]	18	19 47	10 46	3,114	75	
Lee,	9[illegible]	6,997	6[illegible]	3,548	7[illegible]	60	19 56	11 73	5,955	119	
Lucas,	10	477	5	181	[illegible]		18 33		255		
Mills,	21	951	13	252	[illegible]	6	20 38	7 10	750		
Monroe,	47	2,009	33	720	2[illegible]	13	17 70	9 26	1,792		
Madison,	29	1,073	14	334	[illegible]	4	19 21	9 05	633		

(A.)—CONTINUED.

Counties.	Number of organized districts.	Number of persons between 5 and 21 years.	Number of district schools.	Number of pupils in schools.	Number of teachers employed.		Average compensation of teachers per month.		Number of days schools have been taught.	Number of volumes in library.
					Male.	Female.	Male.	Female.		
Mahaska,	59	3,757	61	1,477	29	32	16 28	10 30	3,521	
Marshal,	13	617	7	177	5	2	19 66	9 00	454	
Montgomery,	1	83								
Marion,	66	3,800	63	1,985	38	16	14 00	8 75	3,908	100
Muscatine,	45	3,058	33	1,077	18	18	23 08	12 00	1,729	
Polk,	36	1,832	14	366	10	4	19 92	11 80	657	
Pottawatamie,	6	588	5	202	3	2	15 33	12 50	353	
Page,	10	500	5	93	3	2	17 88	8 14	246	
Poweshiek,	17	816	6	70	3	1	16 44	6 70	84	
Scott,	49	3,931	39	1,338	32	21	15 05	11 43	2,833	10
Story,	2	80	1	30	1		100 00		60	
Taylor,	4	124	3	30	1		20 00		55	
Van Buren,	91	6,088	113	2,678	68	54	16 89	8 26	6,887	
Wapello,	79	4,496	75	2,130	54	17	16 61	8 13	3,766	
Washington,	56	3,100	62	1,717	35	36	18 86	9 04	4,189	
Wayne,	16	655	4	111	2	2	14 99	7 16	320	

Webster,	7	293	2	60		2		8 00	144		
Warren,	28	1,569	16	622	11	4	22 48	9 68	1,043		
Winneshiek,	28	1,527	15	300	8	10	10 62	8 50	1,395		
Total amounts	2353	111,093	1520	44,115	961	772	$19 61	$9 39	104,981	576	

(B.)

Counties.	Aggregate amount paid teachers during the year, and the source from which the same was received		Amount of teachers' fund in hands of Treasurers,	Number of district school houses and of what material constructed.			Cost of distr't school houses.	Amount raised in the districts during the year by tax, and for what purpose.		
	Teachers fund	Voluntary subscription.		Brick.	Stone.	Frame.		Erection of school houses	Conting't expenses.	Library.
Adams,										
Alamakee,	$381 50	101 75	281 33			10	1,264 00	$312 25		
Appanoose,	1 00									
Benton,	148 05	99 25	94 35			6	125 00	140 00	15 50	
Butler,										
Bremer,		50 00						275 00	25 00	
Boone,	138 71	215 79	97 48			9	242 25			
Blackhawk,	45 20	115 05	5 90			5	110 00			
Buchanan,	527 72	52 28	27 00	2		2	942 00	555 00		
Cedar,	1,733 42	1,581 18	317 38	7		30	12,188 00	3,735 44	231 50	
Chickasaw,	44 56	23 44				1				
Clayton,										
Clinton,	1,311 16	599 92	215 51	4	1	21	6,810 00			
Clarke,	39 84	36 66	67 51			3	208 47	219 91		
Dallas,	320 14	237 64	288 77			9	740 65	293 00	6 00	
Davis.	2,221 75	977 53	749 60	2		55	5,170 15	1,003 88	230 57	

Decatur,	188	67	211	39	32	50			5	300	00				
Delaware,	936	21	869	10	59	72	3		16	3,380	00	152	30	113	25
Desmoines,	2,584	81	2,096	15	355	90	18	4	40	22,096	80	2,022	59	383	57
Dubuque,	2,499	37	1,048	52	1,291	43	5	2	34	4,395	00	263	00	135	90
Fayette,	773	76	285	18	133	45			17	1,298	88	605	00	35	00
Floyd,															
Fremont,	222	38	719	82	581	41	1		13	542	60				
Guthrie,	115	35	176	65	145	02			4	577	75	265	46	6	75
Harrison,	10	50	69	00					1	83	00	83	00	12	00
Henry,	2,801	21	1,514	61	546	91	2		36	3,852	15	2,767	32	166	37
Hardin,															
Iowa,															
Jasper,	465	62	215	75	195	85			2						
Jones,	352	81	382	01	96	93			9	190	00	1,215	00	5	00
Jefferson,	3,745	61	1,792	51	630	47	6		59	2,792	10	763	80	197	51
Johnson,	1,979	91	713	66	314	87	1		21	3,650	00	1,008	06	27	00
Jackson,	2,356	62	1,360	49	577	82	5		51	6,793	03	480	23	261	40
Keokuk,	1,653	47	572	25	177	06			25	3,039	29	777	41	110	22
Linn,	1,923	55	1,313	52	389	81	2		34	8,289	00	1,026	14	158	30
Louisa,	3,599	85	1,431	03	502	21	7		28	8,230	00	704	89	42	20
Lee,	4,185	77	1,731	48	1,435	78	18		41	20,221	87	501	25	35	00
Lucas,	49	80	102	20	167	45			6	280	00	209	23	63	80
Mills,	166	95	551	10	50	00			8	500	00				
Monroe,	884	03	365	98	338	65	1		17	1,512	50	320	00	2	50
Madson,	391	89	363	95	193	60			11	1,245	67	852	15	62	55
Mahaska,	2,202	61	670	60	1,607	18	2		41	6,636	65	3,306	01	143	96

(B.)--CONTINUED.

Counties.	Aggregate amount paid teachers during the year, and the source from which the same was received.		Amount of teachers fund in hands of Treasurer.	Number of district school houses, and of what material constructed.			Cost of district school houses.	Amount raised in the districts during the year by tax, and for what purpose.	
	Teachers fund	Voluntary subscription.		Brick.	Stone.	Frame.		Erection of school houses	Contingent expenses.
Marshall,	240 30	33 70	129 86			2	190 00	150 00	11 00
Montgomery,									
Marion,	1,571 54	1,561 91	477 92	1		32	3,134 00	647 00	107 00
Muscatine,	1,345 65	1,288 35	102 95	3		10	1,405 00	1,378 00	126 50
Polk,	237 21	121 34	21 20			8	1,085 00	16 93	111 00
Pottawatamie,		252 00						41 00	98 00
Page,		192 80	1 40			3	191 00	130 00	
Poweshiek,	157 35	31 18	85 69			4	491 00	901 95	20 44
Scott,	3,264 47	403 80	759 75	3	2	13	11,482 00	5,492 61	325 63
Story,	10 00	20 00				1	75 00	75 00	
Taylor,	50 77					3			
Van Buren,	3,475 92	1,866 19	979 26	6		70	13,254 00	3,241 00	1672 12
Wapello,	2,220 34	1,429 58	392 44			12	1,518 00	1,736 34	322 26
Washington,	2,279 52	607 51	502 84	2		35	5,173 40	851 50	131 80
Wayne,	74 03	89 97	204 17			10	680 00	93 00	

Webster,	64 00		37 64							
Warren,	699 16	363 42	86 69			14	1,119 50	259 50	105 40	
Winneshiek,	343 76	130 83	237 76			10	2,790 50	1,339 85	118 21	
Total amounts	$56,662 90	$31,154 02	$15,642 12	98	9	897	170,565 18	30,224 07	624 51	

C.]—*Sales of School Lands, reported by the School Fund Commissioners, from April 1st, 1854, to October 1st, of the same year.*

Counties.	Number of Acres.		Cash.	Credits.
	16th Section	500,000 Acres		
Alamakee,	2,360	2,525 36	19,519 53	21,828 97
Blackhawk,				
Boone,	1,875 80		1,053 88 3-4	2,961 66 1-4
Bremer,	712 18-160	611 44	1,946 31	1,257 14
Buchanan,	1,160	160	613 50	1,192 50
Cedar,	640	6,913 60	6,971 56	17,665 74
Clarke,	2,840	1,770 60	2,062 17	2,617 62
Clinton,	540	6,663 21	2,305 55	6,449 56
Dallas,	760	1,760	1,192 50	1,987 50
Decatur,	3,440	13,825 36	5,611 38 5 12	12,134 71
Delaware,	2,200	2,552	1,950 50	5,821 50
Desmoines,				
Dubuque,	80	720	250 00	750 00
Fayette,	1,440	924 54	1,132 60	2,925 07
Fremont,	560		250 00	440 00
Guthrie,	840		362 45	1,687 35
Henry,				
Iowa,	160		400 00	
Jackson,	480		153 20	459 60
Jasper,	4,280		2,165 00	4,605 00
Jefferson,				
Johnson,	2,760		1,227 25	3,683 15
Jones,	636	1,575 63	1,177 17 1-2	2,129 51
Keokuk,	650		212 00	637 50
Linn,	3,139 27	2,210 72	1,033 37	5,162 93
Lucas,	840	120	522 50	967 50
Madison,	680		265 00	445 00
Mahaska,	1,440		620 50	1,711 50
Marshall,	160	1,022 7	830 30	989 17
Marion,	1,400		765 00	1,095 00
Monroe,	120		75 00	75 00
Muscatine,				
Polk,	440		325 00	225 00
Pottawattamie,	320		212 50	187 50
Poweshiek,	2,240	40	1,057 00	2,431 00
Taylor,	400		275 00	225 00
Union,		1,547 3	784 38 1-2	1,153 16 1 2
Van Buren,	252 12		193 67	309 06
Wapello,	120		87 50	112 50
Warren,	2,840	40	1,558 80	2,394 80
Washington,				
Wayne,	1,987 80	6,766 44	3,866 99	6,920 93
Winneshiek,	2,319	12,912 26	5,559 75	11,603 78
Total,	47,604 41 400	90,272 47-100	73,211 52 1-6	126,936 91 3-4

REPORT

OF

T. H. BENTON, JR.,

AS

SUPERINTENDENT

OF

Public Instruction,

MADE TO THE

GENERAL ASSEMBLY OF IOWA,

SESSION OF 1854-'55.

IOWA CITY:
B. A. MAHONY & J. E. DORR, STATE PRINTERS.
1855.

REPORT.

OFFICE OF SUPERINTENDENT PUBLIC INSTRUCTION,
IOWA CITY, IOWA, June 6, 1854.

Gentlemen of the Senate
and House of Representatives:

I beg leave to submit the following supplement to my biennial report of December 6th, 1852. It is designed to embrace the business transacted subsequent to that date, and a partial recapitulation of the financial affairs of the School System from the 1st of April, 1847, to the 31st of March, 1854.

As nothing very definite relative to the University fund has transpired since my last report was submitted, and as my successor purposes presenting a full statement of its condition, it is deemed unnecessary to notice it here. Your attention is therefore invited to the selection of lands under the 8th section of the act of Congress of September 4th, 1841. The selection of these lands has been attended with much trouble, growing chiefly out of the establishment of new Land Districts, and the repeated change of Land Officers during the progress of the selections. Indeed it was impossible in some of the new Land Districts to ascertain precisely what lands were selected under the act. Under these circumstances I determined to procure duly authenticated plats of the selections from the General Land Office, and having no means at my disposal for that purpose. I contracted with Mr. Peter Daggy, an experienced clerk of the Department, to furnish them for one dollar each, and rendered myself individually liable to pay the amount of

his bill, with interest at the rate of seven per cent. per annum from the delivery of the plats, until such time as the money could be appropriated by the General Assembly. Attached to each plat is a tabular statement, showing the number of the tract, the office at which the selection was made, the date of approval, and the area of the several tracts approved. The work is executed in the most elegant and accurate style, with notes and references pointing out in the most minute manner possible the discrepancies in the several lists, and has the certificate and official seal of the Commissioner appended. The plats are substantially bound in one volume, and deposited with the Superintendent of Public Instruction, where those desiring information with reference to the selection of these lands, can procure it from the most authentic source. I have examined the whole work carefully, and am satisfied that the charges of Mr. D. are extremely reasonable, and trust the bill, presented herewith will be allowed and the amount appropriated at an early day.

The following list, arranged from the plats above referred to, will show the number of acres selected and approved in the several counties.

A List of Lands (commonly known as the 500,000 acre grant) *selected for the State of Iowa, under the 8th section of the act of Congress of the 4th September, 1841, as approved by the Secretary of the Interior, as per certificate of the Commissioner of the General Land Office, under date of September 12th, 1854.*

	ACRES.	
Adair,	2,361	39
Adams,	1,920	
Alamakee,	70,319	32
Apanoose,	2,400	
Benton,	11,721	80
Boone,	1,052	12
Blackhawk,	3,[illegible]	84
Breaner,	19,1[illegible]	57
Buchanan,	2,4[illegible]	44
Butler,	47[illegible]	51
Cedar,	6,2[illegible]	42
Clarke,	16,01[illegible]	
Clayton,	22,817	92
Clinton,	20,941	35
Chickasaw,	3,279	26
Dallas,	18,6[illegible]	16
Davis,	95[illegible]	21
Decatur,	40,637	48
Delaware,	11,395	12
Dubuque,	16,194	87
Fayette,	30,717	85
Floyd,	3,281	68
Hardin	1,360	
Harrison,	7,581	67
Iowa,	23,976	17
Jackson,	867	50
Jasper	1,672	94
Jones,	20,467	48
Keokuk,	679	64
Linn,	11,040	67

Table continued from page 5.

COUNTIES.	ACRES.
Louisa,	640
Lucas,	640
Madison,	9 3 8 6 02
Mahaska,	9,227 75
Marion	1,414 61
Marshall,	6,155 86
Monroe,	9 8 6 57
Muscatine,	3 5 7 33
Polk,	6,151 46
Poweshiek,	12,715 24
Ringgold,	60 7 20
Story,	3,796 74
Tama,	11,651 42
Union,	10,754 96
Wapello,	7,041 57
Warren,	1,918 13
Wayne	15 578 81
Webster,	15,564 95
Winneshiek	24,449 13
	523,337 42

It will be observed that this list shows an excess of 23,637-.42 acres over and above the total amount of the grant, being 677.39 acres more than the excess shown by the statement forwarded from the Department to the Governor. This is occasioned by sundry discrepancies in lists number 1, 5, 13, 14, 23, 46, 53 and 60 of the Dubuque District, and 8, 9, 10, 13, 14 and 16 of the Fairfield District, and 2, 3, 7, 10, 1 and 14 of the Iowa City District as presented in that statement, and an error of 400 acres in additions. It is believed, therefore, that the excess shown by the foregoing list is correct. But as this matter will doubtless be fully investigated before the

grant is finally closed, any further allusion to it here is considered unnecessary.

Under the act of February 25th, 1847, the School Fund Commissioners were empowered to select and sell these lands.

Annexed is a statement of the sales made by them.

A list of lands selected under the 8th section of the act of Congress of September 4, 1841, and sold by the School Fund Commissioners under the 8th section of the act of the General Assembly of Feb. 25, 1847.

Counties.	Acres.	
Benton,	320	
Clayton,	2,278	80
Davis,	320	
Delaware,	320	
Dubuque,	1,040	
Jones,	3,038	40
Linn,	1,720	
Louisa,	640	
Mahaska,	3,320	17
Marion,	1,094	61
Monroe,	320	
Polk,	3,241	81
Wapello,	7,041	57
Total,	24,095	36

Under the act of January 15, 1849, the remaining selections were to be made by three Commissioners, one for each of the Land Districts, as then constituted, and the Superintendent of Public Instruction was authorized to order them into market. The following is an exhibit of the lands ordered into market by the undersigned.

A list showing the number of acres of land selected under the 8th section of the act of Congress, of September 4th, 1841, as ordered into market, by Thomas H. Benton, Jr., Superintendent of Public Instruction, under the 8th section of the supplemental act of the General Assembly, (section 1070 of the Code), of January 15, 1849.

Counties.	Date of ordering sale.	Acres.	Date of ordering sale.	Acres.	Total.
Alamakee,	September 3, 1851.	39,351 05	April 1, 1854.	30,868 48	70,219 53
Appanoose,	" " "	2,400			2,400
Benton,	" " "	11,471 80			11,471 80
Boone,	" " "	1,052 12			1,052 12
Blackhawk;	August 27, 1853.	7,781 40	May 15, 1854.	601 14	8,382 84
Bremer,	February 23, 1854.	19 160 57			19,160 57
Buchanan,	September 3, 1851.	2,485 44			2,485 44
Cedar,	" " "	320 18	March 16, 1854.	5,965 24	6,285 42
Clark,	February 23, 1853.	13,456 42	June 6, "	2,359 58	16,014
Clayton,	September 3, 1851.	*18,846 28	April 6, "	1,371 94	20,218 22
Clinton,	" " "	13,602 36	March 28, "	7,338 99	20,941 35
Chickasaw,	" 5, 1853.	3,279 26			3,279 26
Dallas,	" 3, 1851.	11,819 16	June 4, 1854.	1,880	13,699 16
Davis,	" " "	619 21			619 21
Decatur,	" " "	28,398 61	June 5, 1854.	12,138 85	40,637 48

Delaware,	September 3, 1851.	7,675 12	April 5, 1854.	3,400	11,075 12
Dubuque,	" " "	*14,754 87	" 6, "	720	15,474 87
Fayette,	" " "	29,611 28	" " "	1,106 57	30,747 85
Hardin,	August 15, 1853.	1,360			1,360
Iowa,	September 3, 1851.	3,830 24			3,830 24
Jackson,	" " "	447 50	April 7, 1851.	360	807 50
Jasper,	" " "	1,674 94			1,674 94
Jones,	" " "	26,189 70	April 6, 1854.	1,239 38	27,429 08
Keokuk,	" " "	670 64			670 64
Linn,	" " "	9,326 07			9,326 07
Lucas,	" " "	640			640
Madison,	" " "	9,386 02			9,386 02
Mahaska,	" " "	5,907 58			5,907 58
Marion,	" " "	320			320
Marshall,	" " "	5,373 70	April 7, 1854.	782 07	6,155 86
Monroe,	" " "	666 57			666 57
Muscatine,	April 10, 1854.	357 33			357 33
Polk,	September 3, 1851.	2,909 65			2,909 65
Poweshiek,	" " "	2,240			2,240
Tama,	July 13, 1853.	8,527 58	April 7, 1854.	3,123 89	11,651 42
Union,	August 26, "	8,831 96	June 5, "	9,120	10,754 96

*NOTE.—The W. ½ of Sec. 26, Town. 91, Range 1 west, 320 acres, belonging properly to Clayton county, was ordered into market and sold in Dubuque county through mistake, and as the general result is the same, it is permitted to remain without alteration.

TABLE CONTINUED FROM LAST PAGE.

Counties.	Date of ordering sale.	Acres.	Date of ordering sale.	Acres	Total.
Warren,	September 3, 1851.	1,91[illegible]13			1,918 13
Wayne,	May 17, 1852.	4[illegible]5 41	June 5, 1854.	10 713 43	15,57[illegible]84
Webster,	June 6, 1853,	15,561 95			15 56 95
Winnebiek,	February 26, 1853.	13,132 12	April 5, 1854.	11,317 66	24,449 78
		350,5[illegible]0,23		97,203 92	447,763 20

It is proper here to state, that the selections made in Webster county, (formerly Yell and Risley), amounting to 28,378 46 acres, were approved on the 20th February, 1851, of which I was duly advised by the Register of the Land office, at Dubuque. On the 1st of March, 1853, I addressed a letter of inquiry to the Commissioner of the General Land Office as to whether any of the selections in question conflicted with the Desmoines River Grant, to which (probably through a mis-apprehension of my inquiry), he returned a negative answer. Accordingly on the 6th of June, 1853, I ordered the lands into market. Subsequently I received a letter from the Commissioner, under date of January 6, 1854, informing me that the approval of the selection under the act of September 4th, 1841, in certain odd sections in townships 87, 28 W. 86, 27 W. 87 27 W., 88, 27 W., 87, 28 W. and 88, 28 W., amounting to 12 813.51 acres, had been revoked, and the lands confirmed to the State, under the act of August 8th, 1846, for the improvement of the Desmoines river.

I immediately forwarded a list of the lands thus rejected to the School Fund Commissioner, John Talman, Esq. with instructions to make proper sales, and to forward me a statement of the lands sold in the above mentioned odd sections and townships, up to that time. By this statement, which I have placed in the hands of my successor, it appears that 3,194-28 acres of the rejected lands were sold before the order was countermanded. I am informed that most of these lands are held and claimed by actual settlers, and in view of this fact, and the further consideration, that the Desmoines River Grant was about to pass into the hands of a private company, I determined not to have the sales cancelled, but to let them remain as originally made, until the matter could be laid before you, for such action as you might deem proper. I think it but an act

of justice, that these persons should be protected in their rights. The sales can be cancelled and the purchase money refunded, under the direction of the Superintendent of Public Instruction, to which the purchasers have no objection, but they ask some further guaranty of the State, that they shall be permitted to purchase them at the same price from the company, for which they purchased them from the State. It is hoped, therefore, that you will give the matter such consideration as will secure the interests of all concerned. By deducting the lands thus rejected, the number of acres left in the county will be 15,564. 94, as presented in the several statements of this report.

The following is a list of the lands yet to be ordered into market.

Counties.	Acres.
Adams,	1,920
Adair,	2,391 89
Butler,*	478 51
Floyd,	3,481 68
Harrison,	7,581 67
Iowa,	20,145 93
Poweshiek,	10,475 24
Ringgold,	607 20
Story,	3,796 74
Total,	50,878 86
Deduct Butler,	478 51
No. of acres not in market, January 1, 1855,	50,400 35

During my last official term, I examined the financial affairs of forty one counties. These examinations were very thorough, extending to every item of business transacted from the commencement of the school system, to the time of my visit to the

*NOTE.—The lands in Butler county have been ordered into market by my successor.

county. I also transcribed the sales and loans into new books, and left a full statement of the accounts with the respective Fund Commissioners, with instructions to record the same and place it on file with the papers of the office. This statement was perhaps omitted in a few of the first counties visited, but the result of the examination was in all cases entered on the books. In thirteen of these counties, the examination extended up to the 31st of March, 1854. The result of my personal supervision of this branch of our educational system is given in the following tabe.

Counties.	Date to which examination extends.	Number of acres.				Cash.		Credit.	
		16th section.		500,000 acres.					
Alamakee,	June 30, 1853.	720		18,911	09	10,955	93	16,451	72
[illegible],	March 31, 1854.	3,080		2,[illegible]16		6,440	30	7,351	50
[illegible]ton,	" " "	1,[illegible]58	60	4,757	52	5,738	14	10,771	64
Buchanan,	June 30, 1853.	760		996	80	643	47	1,737	52
Clarke,	December 5, 1853.	1,320		4 510	67	3,276	48	4,278	31
Clay,	June 1, 1852.	5,[illegible]40		[illegible]80		2,871	69	7,230	00
[illegible]on,	July 9, 1852.	5 170		11 [illegible]50	56	6,235	91	14,839	45
[illegible]	[illegible]ch 21, [illegible]	[illegible]07[illegible]	20	1[illegible]	11	[illegible]15	11	6,337	37
[illegible],	March 31, 1854.	9 61[illegible]		8 80		4,364	15	10,230	25
[illegible]ton,	November 22, 1853.	2,613		12,735	81	11,775	46	8 762	27
Delaware,	June 15, 1[illegible]53.	3,568	98	4 791	47	5,891	33	8,924	21
Des Moines,	March 31, 1854.	6,936	90			8,780	17	15,231	60
Dubuque,	July 6, 1853.	10,8[illegible]3	10	14 279	85	10,584	63	22,198	73
Fay[illegible]e,	June [illegible], 1[illegible]52.	5[illegible]		22,231	79	13,216	66	17,666	23
Fremont,	[illegible]ber 3, 1[illegible]53.	2,[illegible]0				1,040	00	2,910	00
Guthrie,	October [illegible], "	40[illegible]				300	00	240	00
Henry,	March 31, 1854.	7,6[illegible]				5,611	79	11,333	15
Iowa,	September 21, 1853.	1,5[illegible]		3 4[illegible]	14	3,295	99	3,531	50
Jasper,	October 4, "	2,280		1,820		1,895	00	2,925	00
Jefferson,	March 31, 1854.	7,680				5,178	70	10,608	40
Johnson,	June 30, 1852.	4,498	22			2,379	34	7,009	49
Jones,	[illegible] "	4,460		11,892	84	7,380	66	15,424	55

Keokuk,	March 31, 1854.	6,000		670	64	4,691	44	7,548	53
Lee,	" " "	9,004	30			8,184	27	12,350	48
Linn,	September 20, 1852.	5,790	70	5,910	94	6,024	28	13,927	49
Louisa,	March 31, 1854.	7,440	51	640		5,315	54	8,778	83
Lucas,	December 1, 1853.	2,230		160		2,040	00	2,550	00
Madison,	October 17, "	4,460		6,011	14	5,777	46	8 117	40
Mahaska,	January 2, 1854.	8,360	90	8,967	97	7,672	52	16,315	14
Marion,	December 15, 1853.	7,800		1,414	61	6,620	41	5,816	95
Mills,	October 7, "	440				550	00		
Monroe,	March 31, 1854.	4,960		990	68	2,998	25	5,511	10
Muscatine,	" " "	6,850	06			4,228	07	10,435	66
Pottawatamie,	November 3, 1853.	1,645	91			551	85	1,505	54
Polk,	October 13, "	5,657	91	4,995	81	3,795	95	9,608	67
Poweshiek,	September 30, "	1,160		1,880		2,062	50	1,737	50
Van Buren,	March 31, 1854.	8,619	36			6,265	27	14,415	29
Wapello,	" " "	7,421	61	7,041	57	8,506	84	12,259	38
Warren,	December 9, 1853.	2,540				2,715	41	4,593	25
Washington,	September 29, "	3,721	54			4,856	71	7,615	51
Wayne,	November 26, "	1,960		2,563	56	3,133	84	2,966	95
		191,967	80	166,787	48	209,622	42	353,266	22

The following statement, arranged from the reports of the School Fund Commissioners, is designed to present the business transacted in the several counties, from the respective dates of my investigations, as shown by the last preceding table, to the 31st March, 1834, and also the entire business of those counties not examined, up to the same period. For the accuracy of these reports, I am not prepared to vouch. In some of them there are manifest discrepancies not consistent with former reports; but in the main, they are believed to be correct. They are placed in a tabular form in order that their accuracy may be tested by future examinations.

Counties.	Number farms.		Cash.	Total.
Allamakee,	1,320	11,9[illegible]	[illegible]	[illegible]0,18
Blackhawk,		31[illegible]	[illegible]	[illegible]755
Bento,	400	[illegible]	28	[illegible]28
Buchanan,	2[illegible]6	1,40[illegible]	1,5[illegible]	[illegible]53
Cedar,	[illegible]8[illegible]78	16[illegible]	[illegible]	[illegible]14 14
Chickasaw,	12	1,[illegible]3[illegible]1	2,[illegible]	2,[illegible]679
Clarke,	[illegible]2[illegible]3	4,[illegible]	3,[illegible]	[illegible]178
Clayton,	4,[illegible]32 25	7,1[illegible]	[illegible]	[illegible]3 68
Clinton,	8,236 25	10,9[illegible]	[illegible]	[illegible]48
Dallas,	167	1,[illegible]	[illegible]	[illegible]600
Decatur,	619	4,9[illegible]	5,0[illegible]	[illegible],[illegible]97 16
Delaware,	2,[illegible]26	3,0[illegible]	2,0[illegible]	[illegible],[illegible]43 40
Dubuque,	219	[illegible]	[illegible]	1,253 21
Fayette,	2,240	6,9[illegible]10	3,[illegible]	13,425 83
Fremont,	280		[illegible]	262 50
Guthrie,	80		[illegible]	75 00
Hardin,	2,220	1,[illegible]	1,1[illegible]	2,984 82
Iowa,	1,752	[illegible]	72[illegible]	2,160 00
Jackson,	[illegible]10	38[illegible]	2,47[illegible]	5,697 60
Jasper,	[illegible]00	[illegible]	71[illegible]	1,852 50
Johnson,	[illegible]53		[illegible]	1,328 75
Jones,	[illegible]07	1,[illegible]35	[illegible]	1,441
Linn,	[illegible]30	2,[illegible]1[illegible]	[illegible]	3,588 54

TABLE CONTINUED FROM PAGE 18.

Counties.	Number of acres.		Cash.	Credit.
	16th section.	500,000 acres.		
Lucas,	640	160	301 90	730 70
Madison,	400	3,320	1,247 50	3,452 50
Mahaska,	446 77	280	2 5 15	675 00
Marion,	360		1 2 50	337 50
Marshal,	3,440	47	4,221 24	6,856 51
Page,	1,240		593 05	1,179 15
Polk,	800	539 51	82 78	812 36
Poweshiek,	960	320	845 00	1,095 00
Scott,	8,461		5,920 00	11,527 83
Story,	800		937 50	1,162 50
Tama,	1,000	7,683 59	4,655 35	7,249 46
Taylor,	160		200 00	
Union,		733 37	998 07	654 25
Warren,	130		5 00	150 00
Washington,	1,620		550 25	1,665 75
Wayne,	960	119 71	430 60	989 90
Webster,	360	9,461 28	6,221 26	7,231 80
Winnebiek,	4,368 57	9,547 55	6,415 64	13,030 31
	77,469 71	140,071 33	64,630 40	197,339 62

The following statement includes the two last preceding ones, and is an exhibit of the entire sales made in the State. from the commencement of the school system, to the 31st March, 1854. It also embraces the five per cent. fund apportioned to the counties, and all other monies constituting a part of the principal of the school fund, under the jurisdiction of the School Fund Commissioners, and therefore shows the amount of the fund invested, in the several counties, at the above date. There is an item of "one dollar on contracts," in this statement, that it may be well to explain. Under the act of Feb. 25th, 1847, each person contracting with the Fund Commissioners, for land, was required to pay into the school fund, the sum of one dollar extra. This provision was repealed by the act of January 15, 1849. The statement, therefore, embraces all the funds derived from that source. I have also included the sum of $58 00 in Benton county, derived from intestate estates, the only amount realized from that source in the State.

Counties.	Number of acres		One dollar on contract	Five per cent. fund.	Cash.	Credit	Total.
	16th section.	500,000 acres					
Alamakee,	5,369	39,615 58		$1 [illegible] 59	$19,651 [illegible]	$10,181 90	$59 983 44
Appanoose,	9,080	2,040	2 [illegible]	490 12	6,[illegible]	7,351 50	14,283 92
Benton,	1,75[illegible] 60	4,757 32		15[illegible]	5,[illegible]	10,771 61	16,664 18
Blackhawk,		5,120 55			[illegible]	[illegible] 55	6,500 53
Boone,	400	692 12		121 [illegible]	[illegible]	1[illegible]3 2[illegible]	1 908 35
Buchanan,	3,600	2,003 70		44[illegible]	2,21[illegible]	[illegible]	7[illegible]10 08
Cedar,	8,882 79	240	1[illegible]	51[illegible]	[illegible]	18,[illegible]	18,[illegible]
Chickasaw,	1,28[illegible]	1,039 91			[illegible]		[illegible] 73
Clarke,	1,61[illegible]	8,9[illegible] 69		90 [illegible]	[illegible]	[illegible]	[illegible] 87
Clayton,	9,12[illegible] 25	11,5[illegible] 62	2[illegible]	6[illegible]	11[illegible]	[illegible]	[illegible]
Clinton,	8,2[illegible] 32	1[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Dallas,	3,1[illegible]	1[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Davis,	[illegible]	[illegible]	[illegible]	10	[illegible]	[illegible]	[illegible]
Decatur,	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible] 311
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible] 52
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible] 0
Fremont,	2,[illegible]	[illegible]	[illegible]	[illegible]	1[illegible]	[illegible]	[illegible] 00
Guthrie,	4[illegible]	[illegible]	[illegible]	1[illegible]	[illegible]	[illegible] 2[illegible]	4,1[illegible] 14
Hardin,	2,[illegible]20	1,360			[illegible]		

Henry,	7,680		16 00	1,217 29	5,611 79	11,353 15	18,353	23
Iowa,	3,260	3,752 14			4,195 00	5,691 50	9,950	63
Jackson,	3,040						9,017	90
Jasper,	3,6[illegible]0						7,683	92
Jefferson,	7,0[illegible]						17,248	10
Johnson,	7,0[illegible]						13,350	00
Jones,	7,853	27,[illegible]	55				48,832	66
Keokuk,	6,000						12,907	44
Lee,	9,0[illegible]						22,766	90
Linn,	9,370 79	8,[illegible]					30,047	90
Louisa,	7,140 51						15,168	25
Lucas,	2,870						5,747	49
Madison,	4,360						18,857	98
Mahaska,	8,807 67						26,234	45
Marion,	8,160		47 00				13,636	76
Marshal,	3,140						11,295	12
Mills,	410						624	00
Monroe,	4,960	990 66	26 00				9,104	64
[illegible]catine,	6,850 06		25 00				15,457	73
Page,	1,240						1,827	20
Pottawatamie,	1,645 91						2,132	39
Polk,	6,457 91		25 00				15,608	34
Poweshiek,	2,080						5,886	40
Scott,	8,461		39 00				17,732	48
Story,	800						1,470	00
Tama,	1,000						11,910	31

Counties.	Number of acres. 16th section.	500,000 acres.	One dollar on contracts	Five per cent. fund.	Cash.	Credit.	Total.
Taylor,	160			35 00	200 00		235 00
Union,		738 67			268 07	654 25	922 32
Van Buren,	8,649 86		70 00	1,621 57	6,255 27	14,415 29	22,373 13
Wapello,	7,421 61	7,041 57	104 00	1,080 95	8,506 81	12,250 36	21,951 17
Warren,	3,000			181 77	2,763 11	4,743 25	7,690 43
Washington,	8,94 54		64 00	718 19	5,412 96	9,284 26	15,479 41
Wayne,	2,920	2,683 27		72 00	3,563 41	3,956 85	7,592 29
Webster,	360	9,461 23			6,224 26	7,231 80	13,456 06
Winneshiek,	4,368 57	9,547 55		87 00	6,415 64	13,030 31	19,532 95
	269,437 51	285,862 76	$1,288 00	$26,531 20	$364,302 82	$550,605 81	$882,727 86
Add amount derived from the estate of Regand in Benton county, - - -							58 00
Total amount of the school fund invested in the several counties, March 31, 1854,							$882,785 86

RECAPITULATION.

Total amount derived from the sale of lands, -	$854,903	66
" " " " intestate estates, -	58	00
" " " " one dollar on contracts,	1,288	00
" " of 5 per cent. fund apportioned to counties. - - - - - - - -	26,531	20
Total amount of 5 per cent. fund loaned to the State,	24,795	75
Total amount of school fund invested, March 31, '54,	$907,581	61

NOTE.—The sum of $7,032,24. used by the School Fund Commissioners in the payment of salaries and contingent expenses, is included in the above statement.

FIVE PER CENT FUND.

This fund is composed of annual instalments, paid to the State, by the United States, being five per cent. of the net proceeds of the sales of the public lands, within the limits of the State. By our constitution and laws, it constitutes a part of the School Fund. It is apportioned among the several counties, and [illegible] the Auditor, ex officio, School Fund Commissioner, to [illegible] School lands. [illegible] borrowed the last instalment, (in 1847,) and all of it, [illegible], was apportioned to the counties of Wakeeha, Jasper, Benton, Lucas and Clayton. [illegible] have been paid and among the counties. [illegible] for the years 1851 and 1852, have received [illegible] and [illegible] ties, as shown by the [illegible] the 3d of [illegible] the 6th of June, 1851. Immediately [illegible] all instalments, [illegible] the total proceeds of the [illegible] five per cent. fund, by the undersigned.

1851.

COUNTIES.	AMOUNT.
Alamakee,	[illegible] 00
Appanoose,	248 00
Benton,	51 00
Boone,	[illegible] 00
Buchanan,	70 00
Cedar,	254 00
Clarke,	[illegible] 00
Clayton,	288 00
Clinton,	[illegible] 00
Dallas,	[illegible] 00
Davis,	[illegible] 00
Decatur,	61 00
Delaware,	175 00
Des Moines,	[illegible] 00
Dubuque,	579 00
Fayette,	98 00
Fremont,	96 00
Guthrie,	35 00
Henry,	550 00
Iowa,	70 00
Jackson,	383 00
Jasper,	98 00
Jefferson,	589 00
Johnson,	292 00
Jones,	225 00
Keokuk,	268 00
Lee,	986 00
Linn,	400 00
Louisa,	350 00
Lucas,	60 00
Madison,	150 00
Mahaska,	390 00
Marion,	339 00
Marshal,	50 00
Mills,	60 00

TABLE CONTINUED FROM PAGE 27.

1851.

COUNTIES.	AMOUNT.
Monroe,	182.00
Muscatine,	350'00
Page,	50,00
Pottawatamie,	70,00
Polk,	236'00
Poweshiek,	89'00
Scott,	425'00
Taylor,	30 00
Van Buren,	704 00
Wapello,	461 00
Warren,	100 00
Washington,	310 00
Wayne,	60 00
Winneshiek,	70 00
	$11,901 90

1852.

COUNTIES.	AMOUNT.
Alamakee,	$17 00
Appanoose,	37 00
Benton,	10 00
Boone,	8 00
Buchanan,	9 00
Cedar,	38 00
Clarke,	5 00
Clayton,	44 00
Clinton,	31 00
Dallas,	10 00
Davis,	63 00
Decatur,	14 00
Delaware,	21 00
Desmoines,	80 00
Dubuque,	69 00
Fayette,	17 00
Fremont,	15 00
Guthrie,	5 00
Henry,	66 00
Iowa,	13 00
Jackson,	58 00
Jasper,	20 00
Jefferson,	75 00
Johnson,	48 68
Jones,	42 00
Keokuk,	43 00
Lee,	114 00
Linn,	63 00
Louisa,	47 00
Lucas,	17 00
Madison,	23 00
Mahaska,	55 00
Marion,	54 00
Marshal,	13 00
Mills,	14 00
Monroe,	30 00

TABLE CONTINUED FROM PAGE 29.

1852.

COUNTIES.	AMOUNT.
Tuscatine,	46 00
Van Buren,	5 00
Pottawatamie,	5 00
Polk,	29 90
Poweshiek,	5 00
Scott,	53 00
Slama,	5 00
Taylor,	5 00
Van Buren,	90 00
Warren,	22 00
Wapello,	65 00
Washington,	45 00
Wayne,	12 00
Winneshiek,	11 00
	$1,037 68

THOMES H. BENTON, Jr., S. P. Inst. in act. with the five per cent. fund.

DR.

To dividend for 1847 (including $20,00 premium),		$16,442 05
" " " 1848, - - - - -		9,105 52
" " " 1849, (including $10,98 premium).		5,703 44
" " " 1850, (including $7,00 premium,)		6,471 36
" " " 1851, - - - - -		11 901 90
" " " 1852, - - - - -		1,397 68
		$51,326 95

CR.

By loan to State per act of Jan. 12, 1849,		$16,442 05	
" " " " " 13, "		6,000 00	
By amount paid for refunding cash payments on land:			
To Mahaska county,	$300 00		
" Jasper "	96 83		
" Benton "	50 00		
		446 83	
By amount paid to Louisa county in lieu of school tax, - - - -		203 35	
By amount paid to Clayton county in lieu of school tax, - - -		105 00	
By amount paid to Monroe county in lieu of school tax, - - -		142 26	
By amount apportioned to Fund Commissioners, Nov. 19, 1850, - -		5,566 19	
By loan to State, per act of Feb. 5, '51,		2,933 70	
" am't appor'd to F. Com'rs Dec. 24, "		6,471 36	
" " " " " March 3, '53,		11,901 90	
" " " " " June 6, 1854,		1,697 68	
			$51,326 95

PRINCIPAL OF THE SCHOOL FUND MISAPPLIED.

In my former reports, I have alluded to the fact, that some of the School Fund Commissioners, under the act of February 25th, 1847, paid their salaries and contingent expenses out of the *principal* of the School fund. The act provided that their compensation should be "*paid out of the school fund*," and they having the fund in their own hands, and being governed by their own construction of the law, paid themselves out of the principal, as no interest had accrued at that early period, for the purpose. I would repeat, that most of these payments were made before the undersigned had any connection with our school system, and all of them, with one or two exceptions, without his knowledge or consent. I have been careful in my examinations, to ascertain the amounts thus applied, and now present an accurate statement of them below. I would suggest that it will be proper to authorize the Superintendent of Public Instruction, to deduct the several amounts from the interest, before making his annual apportionment, and reimburse the principal.

Amount of the principal of the School fund used by the School Fund Commissioners, for salary and contingent expenses.

COUNTIES.	AMOUNT.	COUNTIES.	AMOUNT.
Cedar,	$40 00	Linn,	534 15
Clayton,	403 40	Louisa,	519 66
Clinton,	184 15	Marion,	312 73
Delaware,	175 86	Monroe,	260 31
Desmoines,	141 50	Muscatine,	235 00
Dubuque,	619 05	Polk,	192 50
Jefferson,	518 35	Van Buren,	464 40
Jones,	175 00	Wapello,	642 69
Keokuk,	289 00	Washington,	857 60
Lee,	436 89		
			$7,032 24

DEFALCATIONS.

In my examinations in the several counties, I found but few cases that would come strictly under the above head. In a large majority of instances, (there were a few *rare* exceptions where the accounts were correctly balanced, and occasionally a balance due the Commissioner), there were balances in the hands of the Fund Commissioners, and in some cases balances due from their predecessors, but as no criminality in the transaction of the business was apparent from the books, and as the officers manifested not only a willingness, but a degree of anxiety, to ascertain the true amount of their indebtedness, and gave the most positive assurance that it should be promptly settled, it is considered unnecessary to refer to them in detail, in this report.

In the county of Henry, there was a balance of $906 13, against Archibald McKinney, Esq., on the principal, and $9 37 on the interest of the fund. Mr. McKinney retired from office on the 2d of August, 1852, and has since removed from the State. His securities are considered perfectly responsible for the amount. It is proper to state that Mr. McKinney was not present at the examination, nor can it be inferred from the books and papers, that there was any design to defraud the State. I am inclined to the belief, that it proceeded more from carelessness and negligence in the transaction of his business than any thing else. I left a full statement of the account with the present Commissioner, and directed him to communicate the facts to Mr. McKinney, and to take immediate steps to have the account settled.

In Desmoines county, there was a balance found against William Walker, Esq. Mr. Walker was elected to the office of School Fund Commissioner in April 1848, and re-elected in April, 1850. In August, 1851, some of his securities, being apprehensive that his official business was in an unsafe condi-

tion, filed a complaint against him, and requested to be released from his bonds. This led to an investigation of his affairs, by which it appeared, that he was indebted to the school fund several thousand dollars. He immediately resigned, and the vacancy was filled by appointment. He settled the balance then found against him, to the satisfaction of his successor, and subsequently removed from the State. In the re-examination of his accounts by the undersigned, a balance still appeared against him of $347 08. As to the character of his intentions, I shall not attempt to decide. Suffice it to say, that his accounts evince the grosest negligence, and palpable violations of law. School lands were sold, and the notes of individuals, without any security, taken for the *whole amount of the purchase money*, instead of exacting one fourth of the amount in cash, as required by law. Loans were also made without any security whatever. In addition, therefore, to the above sum of $347 08, I consider him legally responsible for illegal sales and loans to the amount of $2,150 84, and $30 69 interest collected, and not accounted for; otherwise the State is liable to sustain a heavy loss. There is every reason to hope, however, that under the prudent management of the present Fund Commissioner, the greater portion of the above sum of $2,150 84, will be collected or secured according to law. I left a statement of his account with the present Commissioner, with instructions to take the necessary steps to enforce the payment of the balance due.

The heaviest defalcation that has yet occurred in the State, is in Benton county. Irwin D. Simison, Esq. came into the office of School Fund Commissioner, by appointment, and was regularly elected in April, 1852. In April, 1854, he was a candidate for re-election, but was unsuccessful. He immediately notified his successor, that he would transfer the books and papers at a particular time, but instead of doing so, placed them under lock and key and left the country "for parts un-

known." The books and papers were subsequently obtained by forcing the lock. I then visited the county, and after a careful examination of the accounts, found a balance against him of $2,009 21, on the principal of the fund, and $1,021 16, on the interest and school tax account; being in all $3,030 37. In this statement I gave Mr. Simison credit by a mortgage for $100 00 executed to the School fund by A. Cantenwine. Mr. Cantenwine avers that he received no money on the mortgage, but gave it with the express understanding between himself and Mr. Simison, that it should apply as a credit on a mortgage executed by a third party to the school fund, for the sum of $700 00. Finding no such credit on the mortgages alluded to, I gave Mr. Simison credit for $900 00, the full amount of both mortgages. If Mr. Cantenwine is released from the payment of his mortgage, it will increase the indebtedness of Mr. S. $100 00, making the balance against him $3,130 37.

I learn from the present Fund Commissioner, that some sales have come to light since the examination, which the books and papers do not show. Whatever they amount to, will, of course, be added to the above balance in the final settlement of the account. Of the balance due on interest account, the sum of $304 48 belongs to Washington county, and $345 01 to the county of Johnson, for warrants drawn in their favor by the undersigned, in the apportionment of the interest, on the 25th January, 1854. I think justice requires that these counties should be reimbursed in making the next annual apportionment, and let the above amounts, when collected, go into the general fund and be re-apportioned. It is scarcely necessary to add that the accounts of Mr. Simison show a manifest intention, deliberately and successfully carried into execution, to defraud the school fund. I have left a full statement of his account, with his successor, and directed him to institute the necessary proceedings for having it closed.

APPORTIONMENT OF SCHOOL MONEYS.

A full statement of the moneys, apportioned to school districts, in the several counties, from the first of April, 1848, to the 31st March, 1854, will be found in the six next succeeding tables. The salaries of officers and other expenses are not included in these tables. They only embrace the net amount actually apportioned and paid to school districts. In a few counties there were moneys apportioned on the first of March, 1848, but as they were generally refunded and subsequently re-apportioned, it is considered unnecessary to render a separate account of them. The statement of the interest may be relied on as correct. The amount of the school tax, fines, &c. has been ascertained chiefly from the reports of the Fund Commissioners, and I am therefore, not prepared to say whether it is accurately given, but believe the variation, if any, from a true exhibit, is not very material. The re-capitulation shows that the sum of $269,587 56, has been expended during the above period, for the support of schools, being an avarage of $44,597 92 annually. For the first six years of our educational existence, this result is extremely satisfactory, and is a favorable omen for the future.

A list showing the total amount of school moneys, apportioned among the school districts of the several counties, on the first day of March, 1849.

Counties.	Number of children.	Interest of school fund.	County school tax, fines, etc	Total.
Appanoose,	224	33 60	33 96	67 56
Benton,	162	24 30		24 30
Buchanan,	130	19 50		19 50
Cedar,	788	118 20	434 24	552 44
Clayton,	403	60 45	177 75	238 20
Clinton,	526	78 90	330 99	409 89
Desmoines.	4,645	696 75	2,877 19	3,573 94
Davis,	1,812	271 80	527 25	799 05
Delaware,	436	65 40	104 58	169 98
Dubuque,	1,280	192 00	710 39	902 39
Henry,	2,805	420 75	1,276 07	1,696 82
Iowa,	42	6 30		6 30
Jackson,	800	120 00	838 14	958 14
Jefferson,	2,933	448 20	891 83	1,340 03
Johnson,	1,299	194 85	727 66	922 51
Jones.	694	104 10	88 00	192 10
Keokuk,	1,286	192 90	248 14	441 04
Lee,	5,573	835 95	946 62	1,782 57
Linn,	1,334	200 10	210 30	410 40
Louisa,	1,588	238 20	430 68	668 88
Mahaska,	1,516		150 71	150 71
Marion,	1,125	168 75	120 00	288 75
Monroe,	367	55 05	60 45	115 50
Muscatine,	1,360	204 00	367 52	571 52
Polk,	752	112 80	20 77	133 57
Poweshiek,	72	10 80	15 70	26 50
Scott,	1,085	162 75	677 05	839 80
Van Buren,	3,589	538 35	1,534 40	2,072 75
Washington,	1,372	205 80	302 50	508 30
Wapello,	2,382	357 30	255 19	612 49
Total,	42,435	$6 137 85	$14,358 08	$20.495 93

A statement showing the total amount of School moneys apportioned among the school districts of the several counties on the first day of March, 1650.

Counties	Number of scholars.	Interest of school fund	County school tax, fines, etc	Total.
Alamakee,	151	52 33	7 10	59 46
Appanoose,	464	157 76	14[illegible] 39	307 15
Benton,	26	8 84		8 84
Boone,	135	45 90		45 90
Buchanan,	120	40 80	21 03	61 83
Cedar,	993	33 82	168 02	202 31
Clayton,	687	23[illegible] 58	597 75	831 33
Clinton,	733	24[illegible] 22	442 77	691 99
Dallas,	166	56 44	25 77	82 21
Davis,	2,902	6[illegible]	6[illegible] 16	1,376 14
Delaware,	515	17[illegible]	165 11	360 21
Desmoines,	4,57[illegible]	1,55[illegible] 52	1,04[illegible]	3,291 69
Dubuque,	2,587	87[illegible] 58	9[illegible] 18	1,860 76
Henry,	3,294	1,11[illegible] 31	815 37	1,935 33
Iowa,	220	76 84	47 51	124 35
Jackson,	1,803	61[illegible] 70	49[illegible] 75	1,113 45
Jasper,	362	12[illegible] 48	[illegible] 15	280 23
Jefferson,	3,211	1,09[illegible] 74	617 67	1,709 41
Johnson,	1,417	48[illegible] 78	42[illegible] 57	940 55
Jones,	786	2[illegible] 21	13[illegible] 0	417 21
Keokuk,	1,367	56[illegible] 18	191 72	758 50
Lee,	5,427	1,84[illegible] 1[illegible]	831 38	2,676 51
Linn,	1,[illegible]	[illegible] 86	43[illegible]	971 99
Louisa,	1,795	58[illegible]	3[illegible]	891 58
Madison,	36[illegible]	12[illegible] 12	1[illegible] 75	135 87
Mahaska,	1,356	46[illegible] 4[illegible]	3[illegible] 27	801 41
Marion,	1,5[illegible] 0	53[illegible] 24	2[illegible] 65	805 89
Monroe,	80[illegible]	27[illegible] 72	[illegible] 01	343 72
Muscatine,	1,413	48[illegible] 12	41[illegible] 28	893 70
Polk,	398	13[illegible] 62	10[illegible] 85	238 47
Poweshiek,	127	4[illegible] 18	19 70	62 88
Scott,	1,415	481 10	667 37	1,148 47
Van Buren,	3,8[illegible]	1,32[illegible] 30	735 50	2,059 80
Wapello,	2,216	753 41	548 38	1,301 82
Washington,	1,831	622 54	299 72	922 26
	50,082	$17,027 88	$12,898 06	$29,925 94

A statement showing the total amount of school moneys apportioned among the school districts of the several counties on the first day of March, 1851.

Counties.	Per capita.	Interest of school fund.	County school tax, fines, etc	Total.
Allamakee,	328	111 72	21 19	140 91
Appanoose,	1,173	422 14	173 00	601 14
Benton,	10	36 13		36 13
Boone,	270	91 25	32 00	123 25
Buchanan,	145	67 52	57 00	124 52
Cedar,	1,111	405 11	288 66	694 17
Clayton,	1,[illegible]	[illegible]	200 00	638 78
Clinton,	1,[illegible]	335 131	371 16	706 59
Dallas,	1[illegible]	71 46	17 72	89 19
Davis,	3[illegible]	1,107 41	491 25	1,598 66
Decatur,	113	156 74	13 00	169 74
Delaware,	746	279 38	197 38	476 38
Des Moines,	4,614	1,603 11	1,279 75	2,882 86
Dubuque,	3,145	1,257 42	1,857 63	3,115 05
Henry,	3,539	1,307 79	1,066 75	2 374 54
Iowa,	295	86 87	39 22	126 09
Jackson,	2,212	807 36	510 02	1,317 38
Jasper,	472	164 98	105 14	270 12
Jefferson,	4,350	1,489 20	779 72	2,268 92
Johnson,	1,653	585 09	625 17	1,210 26
Jones,	1,042	398 58	200 00	598 58
Keokuk,	1,607	670 50	258 14	928 64
Lee,	6,144	2,242 56	816 77	3,059 33
Linn,	1,946	726 35	476 19	1,202 54
Louisa,	1,432	705 18	699 98	1,405 16
Lucas,	34	12 41		12 41
Madison,	472	172 28	40 10	212 38
Mahaska,	2,819	1,028 93	473 29	1,502 22
Marion,	1,760	645 22	238 68	884 00
Marshall,	134	48 91	5 58	54 49
Monroe,	1,118	408 07	138 97	547 04
Muscatine,	1,897	692 40	605 80	1,298 20
Polk,	1,301	474 86	503 43	978 29

CONTINUED FROM PAGE 39

Counties.	Number of scholars	Interest of school fund		Co. tax,		Total	
Poweshiek,	193	70	44		...	95	94
Scott,	1,958	714	67		...	1,528	50
Van Buren,	4,729	1,72[illegible]	08		65	2,378	67
Wapello,	3,114	1,136	31		71	1,646	61
Warren,	115	41	97		80	71	22
Washington,	1,951	712	11		38	1,310	61
	64,569	$23,545	78	$17	[illegible]	$38,758	19

A statement showing the total amount of school moneys apportioned among the school districts of the several counties on the first day of March, 1852.

Counties.	Number of scholars	Interest of school fund.	County school tax, fines, etc.	Total.
Alamakee,	616	164 47 2	90 00	254 47.2
Appanoose,	1,615	431 29 5	226 20	657 50.5
Benton,	239	63 81.3		63 81.3
Boone,	362	96 65.4	85 62	182 27.4
Buchanan,	259	69 15 2	34 53	103 68.3
Cedar,	1,503	401 30.1	286 11	687 41.1
Clayton,	1,558	415 98 6	409 00	824 98.6
Clinton,	1,239	330 [illegible]	427 82	758 63.3
Dallas,	437	116 67.9	32 33	149 00.9
Davis,	3,750	1,001 25.6	489 42	1,490 67.0
Decatur,	500	133 50 0	20 00	153 50.0
Delaware,	938	250 41 6	310 [illegible]	560 58.6
Desmoines,	4,776	1,275 19.2	1,546 [illegible]0	2,821 89.2
Dubuque,	3,854	1,028 [illegible]7.8	1,291 82	2,320 83.8
Fayette,	234	62 [illegible]	85 91	148 38.8
Fremont,	569	151 92.8	101 62	253 54.3
Guthrie,	76	20 [illegible]9.2		20 29.2
Henry,	3,877	1,035 13.9	1,235 91	2,270 06.9
Iowa,	426	113 74.2	[illegible] 11	203 85.2
Jackson,	2,834	756 67.6	756 59	1,513 26.6
Jasper,	614	163 93.8	161 77	325 70.8
Jefferson,	4,463	1,191 82.1	818 17	2,009 79.1
Johnson,	1,765	471 [illegible]7.5	625 17	1,096 12.5
Jones,	1,459	389 [illegible]3.2	440 00	829 55.3
Keokuk,	2,098	560 16.6	302 35	862 51.6
Lee,	7,278	1,943 [illegible]2.1	1 963 50	3,906 72.6
Linn,	2,413	644 27.1	565 98	1,210 25.1
Louisa,	2,287	610 62 9	641 04	1 251 66.9
Lucas,	129	34 43 [illegible]	72 60	107 02.3
Madson,	527	140 70 9	44 80	185 50.9
Mahaska,	2,662	710 75.1	580 98	1,291 73.4
Marion,	2,497	666 69.9	427 59	1,094 28.9
Marshall,	188	50 19.6	76 23	126 42.6

CONTINUED FROM PAGE 41.

Counties	Number of scholars	Interest of school fund	County school tax, fines, etc	Total
Monroe,	1,353	361 29 1	141 57	502 82.1
Muscatine,	2,179	579 89.0	691 64	1,271 53.0
Polk,	1 554	414 71	473 24	888 15.8
Poweshiek,	264	70 48	98 00	168 18.8
Scott,	2,112	614 00.4	1,387 04	2,001 04 4
Van Buren,	5,115	1,365 70 5	1,362,45	2,728 15.5
Wapello.	3,627	968 40.9	319 67	1 288 07.9
Warren,	393	81 70.	82 7	164 20.2
Washington,	2,137	570 57	75 00	1,20 57.9
Wayne,	17	46 15.	29 90	75 05 8
	77,151	20,600 11.8	$19,512 08	$40 112 19.8

A statement showing the total amount of school moneys apportioned among the school districts of the several counties on the first day of March, 1859

County.	Number of scholars.	Amount of State Fund.	County school tax, fines, etc.	Total.
Adams,	[illegible]	[illegible]	130 36	429 22
Appanoose,	1,[illegible]	[illegible]	220 36	1,627 66
Benton,	[illegible]	[illegible]	134 08	331 24
Boone,	[illegible]	[illegible]	[illegible] 19	2,3[illegible] 27
Buchanan,	[illegible]	[illegible]	92 35	[illegible] 59
Cedar,	[illegible]	[illegible]	494 19	1,127 19
Clarke,	[illegible]	[illegible]	[illegible] 27	27 77
Clayton,	2,21[illegible]	[illegible]	[illegible]	1,[illegible]6 08
Clinton,	1,[illegible]	[illegible]	[illegible]	1,[illegible]9 56
Dallas,	[illegible]	[illegible]	[illegible]	[illegible] 28
Davis,	[illegible]	[illegible]	[illegible]	2,12[illegible] 07
Decatur,	[illegible]	[illegible]	[illegible]	237 28
Delaware,	1,1[illegible]	[illegible]	[illegible]	7,[illegible]2
Dermolaine,	5,111	1,146[illegible]	1,[illegible]23	2,[illegible]7
Dubuque,	[illegible]	1,[illegible]	1,[illegible]	2,[illegible]9
Fayette,	519	[illegible]	[illegible]	[illegible] 93
Fremont,	[illegible]	[illegible]	[illegible]	421 03
Guthrie,	[illegible]	[illegible]	[illegible]	55 51
Henry,	[illegible]	1,6[illegible]	1,[illegible]52	3,459 30
Iowa,	[illegible]	[illegible]	[illegible]	[illegible] 01
Jackson,	2,961	1,[illegible]	569 31	1,[illegible]9
Jasper,	[illegible]	[illegible]	153 [illegible]	471 31
Jefferson,	1,[illegible]95	1,[illegible]	1,[illegible]	3,177 [illegible]
Johnson,	2,[illegible]	[illegible]	542 [illegible]	1,[illegible]
Jones,	[illegible]	[illegible]	[illegible]	1,[illegible]
Keokuk,	[illegible]	[illegible]	[illegible]	1,256 10
Lee,	[illegible]	[illegible]	2,698 [illegible]	5,8[illegible] 20
Linn,	2,[illegible]	1,[illegible]	675 [illegible]	1,838 19
Louisa,	2,[illegible]	1,[illegible]	70[illegible] 30	1,700 [illegible]
Lucas,	[illegible]	127 [illegible]	162 [illegible]	289 52
Madison,	[illegible]	[illegible]	94 25	431 51
Mahaska,	2,[illegible]	1,[illegible]	629 [illegible]	1,858 80
Marion,	2,[illegible]	1,[illegible]	[illegible]	1,547 46

*Note—Part not apportioned till March 1st, 1[illegible].

CONTINUED FROM PAGE 43.

Counties.	Number of scholars	Interest of school fund	County school tax, fines, etc	Total
Marshall,	186	[illegible]	[illegible]	142 55
Mills,	237	[illegible]	[illegible]	124 75
Monroe,	1,402	[illegible]	[illegible]	768 58
Montgomery,	2,454	[illegible]	[illegible]	1,278 50
Page,	257	[illegible]		107 10
Putnam,	376	[illegible]	269	425 20
Polk,	1,81[illegible]	[illegible]	53[illegible]	5,322 29
Powesheik,	3[illegible]	[illegible]	72[illegible]	213 54
Scott,	3,469	[illegible]	1,761[illegible]	3,950 60
[illegible]	6[illegible]	[illegible]	3[illegible]	65 62
Van Buren,	5,41[illegible]	[illegible]	9[illegible]	3,256 61
Wapello,	2,553	[illegible]	571[illegible]	2,383 80
Warren,	428	[illegible]	[illegible]	299 76
Washington,	2,389	[illegible]	[illegible]	2,263 38
Wayne,	315	[illegible]	[illegible]	161 80
Winneshiek,	472	[illegible]	[illegible]	278 79
	[illegible],157	[illegible]	[illegible] 74	[illegible],269 68

Note—Part not apportioned [illegible]

A statement showing the total amount of school moneys apportioned among the school districts of the several counties on the first day of March, 1854.

Counties.	Number of scholars;	Interest of school fund.	County school tax, fines, etc	Total;
Alamakee,	1,013	507 21	494 89	1,002 10
Appanoose,	2,259	1,191 15	404 25	1,585 40
Benton,	570	285 40	226 53	511 93
Blackhawk,	178	89 12	27 72	116 84
Boone,	439	219 81	No report.	219 81
Buchanan,	526	253 37	237 03	490 45
Cedar,	2,742	1,222 71	648 39	1,871 10
Chickasaw,	127	63 59	None.	63 59
Clarke,	216	109 65	69 12	178 77
Clayton,	2,828	1,413 48	586 52	2,000 00
Clinton,	1,991	996 89	855 85	1,852 74
Dallas,	751	280 89	95 56	376 45
Davis,	4,108	2,054 37	600 50	2,654 87
Decatur,	832	427 10	64 30	491 40
Delaware,	1,307	651 41	423 72	1,083 13
Desmoines,	5,963	2,605 14	1,676 85	4,281 99
Dubuque,	4,523	2,261 67	2,106 94	4,371 61
Fayette,	989	495 19	208 00	703 19
Fremont,	836	419 59	137 36	556 95
Guthrie,	254	127 18	49 99	177 17
Hardin,	62	31 04	48 80	79 84
Henry,	4,267	2,136 49	692 43	2,828 92
Iowa,	672	336 47	283 51	619 98
Jackson,	3,672	1,838 57	974 25	2,812 82
Jasper	1,965	533 25	633 28	1,166 53
Jefferson,	4,660	2,333 26	1,721 34	4,054 60
Johnson,	2,662	1,332 86	917 86	2,250 72
Jones,	2,427	1,215 20	432 22	1,647 42
Keokuk,	2,488	1,245 74	471 11	1,716 85
Lee,	7,070	3,539 95	2,176 00	5,715 95
Linn,	3,479	1,737 43	815 57	2,553 01
Louisa,	2,5[illegible]	1,276 79	580 25	1,857 04
Lucas,	4[illegible]	202 78	262 78	465 56
Madison,	959	480 13	165 65	645 82

CONTINUED FROM PAGE 45.

Counties.	Number of scholars.	Interest of school fund	County school tax, fines, etc	Total.
Mahaska,	3,2[illegible]	1,[illegible]	1,[illegible]	2,963 46
Marion,	3,1[illegible]	1,[illegible]	[illegible]	3,071 25
Marshall,	[illegible]	[illegible]	[illegible]	345 32
Mills,	[illegible]	[illegible]	[illegible]	401 65
Monroe,	1,6[illegible]	[illegible]	[illegible]	1,152 32
Muscatine,	3,71[illegible]	1,[illegible]	1,171 47	2,52[illegible]
Page,	2[illegible]	121 17		121 17
Pottawattamie,	1[illegible]	[illegible]	[illegible]	490 33
Polk,	1,[illegible]	7[illegible]	[illegible]	1,147 88
Poweshiek,	[illegible]	[illegible]	[illegible]	3[illegible] 17
Scott,	3,[illegible]	1,[illegible]	3,[illegible]	[illegible]
Tama,	1[illegible]	[illegible]	[illegible]	1[illegible] 36
Taylor,	2[illegible]	11[illegible]	17 01	127 19
Van Buren,	[illegible]	2,[illegible]	1,473 49	4,3[illegible] 6
Wapello,	3[illegible]	1,90[illegible]	615 60	2,647 19
Warren,	1[illegible]	[illegible]	[illegible]	7[illegible] 01
Washington,	3,[illegible]	1,312 [illegible]	1,250 59	2,[illegible] 34
Wayne,	2[illegible]	19[illegible]	51 10	249 17
Webster,	1[illegible]	[illegible]	25 00	94 00
Winneshiek,	74[illegible]	87[illegible]	319 61	694 13
Total,	102,[illegible]	$50,155 [illegible]	$30,819 51	$80,993 03

RECAPITULATION.

Date.	Children.	Interest.	School tax.	Total.
March 1 1849	42 43[illegible]	$6,137 85	$14,358 06	$20,495 33
" 1850	50.082	17,027 88	12,808 06	29.925 94
" 1851	64,509	23,545 78	15,212 41	38,758 19
" 1852	77,154	20,6[illegible] 11	19,542 08	40,142 19
" 1853	86.157	26,185 91	23,083 7[illegible]	59,269 [illegible]8
" 1854	100.088	50,155 12	33,840 51	80.9[illegible]7 [illegible]3
		$153,652 6[illegible]	$115.031 28	$26[illegible] [illegible],36

INTESTATE ESTATES.

By our constitution and laws "the proceeds of the sales of intestate estates to which there may be found no heir," escheat to the scoool fund. There have been but five cases reported to the undersigned. under the law, to wit:

From the county of Desmoines, the estates of Henry Coats and Dr. ——— Toepperwein.

From the county of Van Buren, the estate of William McGilligan.

From the county of Lee, the estate of George Cornwall.

From the county of Benton, the estate of —— Regand.

None of these estates have as yet been settled, except that of —— Regand, in Benton county. It has been closed and the proceeds, amounting to $58 00, paid into the school fund. It is not not likely that the fund will ever derive much benefit from this source.

MEDICAL DEPARTMENT OF THE STATE UNIVERSITY.

By an act of the General Assembly, approved February 5, 1851, the sum of $5,000 00 of the cash proceeds of the sales of the Saline lands, was placed at the disposal of the undersigned, for the benefit of the above institution. Soon after the passage of the act the claim was transferred to the city of Keokuk, in order that the money might be realized in advance for the benefit of the institution. I received the money from the State Treasurer on the 21st March, 1854, and paid it over on the same day to B. S. Merriam, Mayor of the city of Keokuk, and have placed his receipt therefor on file in my office.

SECURITY OF THE SCHOOL FUND.

Under our present law, a School Fund Commissioner is required to execute a bond to the State, in a penalty of ten thousand dollars, for the faithful discharge of his duties. This bond may be increased by the County Judge, or the officer approving it, if in his judgment, it is insufficient. I am persuaded that there is too much indifference in the execution and approval of these bonds. In the course of my examinations I have met with instances where the bonds were given *nominally* for the sum of ten thousand dollars, when in truth the joint effects of the securities would not exceed half that amount, and at the same time the amount of the bond was one-third less than the amount of the School fund under the control of the Fund Commissioner. The law is sufficiently stringent, but the approving officers are certainly culpable. It will be seen by a statement in another part of this report, that there is one county in which the *principal* of the school fund alone exceeds fifty thousand dollars—six in which it exceeds thirty thousand—seven in which it exceeds twenty thousand, and twenty-one in which it exceeds ten thousand. I would suggest that the officers, whose duty it is to approve the bonds, should be held responsible, in case it can be shown that the State suffers loss in consequence of their negligence. The matter is respectfully submitted for your consideration.

It may be well under this head to add, that there is a want of vigilance in the manner of loaning the school fund. The law requires "a mortgage on real estate of the clear unincumbered value of double the amount of money loaned,' with "two good securities,"—the value of the property mortgaged to be fixed "by three appraisers under oath." These provisions seem to be sufficiently explicit, and yet I have known instances where loans were secured by mortgaging *government* lands. One individual mortgaged land owned by another man, and afterwards gave as his reason for doing so, that

he expected to purchase it at some future day. The idea prevails with some Fund Commissioners, that as the money is secured by mortgage, the character of the *personal* securities is immaterial. Such, however, is not the intention of the law—it plainly specifies two *good* securities. A number of cases have occurred where the personal security alone prevented a total loss to the fund. Property is often encumbered with prior claims—frequently for more than its real value—and it is extremely difficult for Fund Commissioners, or any body else, under the deranged state of the early records of the several counties, to ascertain the true condition of real estate. I think the loaning of school money, on improved town lots should either be prohibited, or restricted to the actual cash value of the lots without the improvements. I know of no case where the State has sustained an actual loss in consequence of defective security, other than the ordinary expenses incident upon the foreclosure of a mortgage, but there are several now pending where the probability is that the loss will be total. Certain it is, that the fund cannot be too well secured, and the reasonable rate of interest at which it is loaned, will justify the State in demanding the *best* security.

GENERAL REMARKS.

The experience of the past has confirmed me in the belief that a proper supervision of the school fund requires a separate officer. This duty now devolves upon the Superintendent of Public Instruction, but owing to the indefinite number of other conflicting duties he is required to perform, it is impossible for him to give the school fund that attention which it demands. I am aware that this proposition will be met with that favorite old hobby—"an increase of expenditures," but however wise the policy may be of saving cents and losing dollars in other matters, it is not applicable in the management of the school fund.

Much has been said from time to time, about the enormous expenses of our school system, when in truth it will compare favorably, in this respect, with any other school system extant. Its entire expenses, from the first of April, to the 31st March, 1854, including the salaries of School Fund Commissioners, and the Superintendent of Public Instruction, are $15,229,41. For the period above named these officers have had the supervision (subject to perpetual alterations of the most perplexing character) of 1,772 school districts; the management and sale of school lands, and the investment of $907,581 61, of the principal of the school fund, scattered over sixty odd counties, in sums varying from ten dollars to five hundred dollars. They have also collected $64,804 69, in sums varying from twenty-five cents to one hundred dollars, and have disbursed the same, together with the additional sum of $30,840 51, of school tax—making in all $1,003,226 81—the total expenses being a small fraction over one and a half per cent. on the above sum. In the foregoing statement a great variety of miscellaneous duties performed by the Superintendent are not included. Now who will lay himself under adequate bonds and transact the same amount of business, under all

the attendant and perplexing circumstances for a less compensation? If that man can be found, I think the State should avail itself of his services at once.

I am as much in favor of legitimate retrenchment as any one, but utterly deprecate that false system of retrenchment by which we save hundreds and squander thousands. It must be obvious to every reflecting mind, that the management of so large a sum (invested as it probably always will be in the several counties,) involving such a variety of intricate calculations, without the strictest accuracy, the State will be liable to sustain a loss annually of thousands of dollars, by erroneous computations alone—more than enough to compensate a competent officer to superintend it. A vigorous supervision of the fund, such as it contemplated by the recommendation now made, will also secure thousands more, that may be lost by defalcations, defective bonds and mortgages. So that in the end, the creation of such an officer will prove a matter of economy.

The school system is naturally divided into two departments—financial and educational, and the proper management of these respective departments requires a very different order of talent. These natural divisions of labor will always exist, regardless of any future modifications or alterations the system may undergo. Place the financial department then under the general supervision of an experienced *accountant*, and make the Superintendent of Public Instruction, (what the Constitution doubtless contemplates he should be,) exclusively an *educational* officer—let them traverse the State and devote their energies to the respective duties assigned them, and many of the evils now complained of will soon be removed. It matters not where the custody of the school fund may be placed, whether with the School Fund Commissioners, the County Treasurers, or elsewhere, it will be subject to the same contingencies relative to losses that now exist, and consequently

the supervision here suggested will still be essential to its preservation.

Having been identified with our school system for the past six years, I now take my leave of it with feelings of deep solicitude. Its history thus far is but the history of its infancy. There was a period when I entertained serious misgivings as to its fate, but time has dissipated my fears. Its destiny is now fixed, and a bright future awaits it. It is emphatically an institution of the people, and the people will sustain it. The civil commotions to which all governments are more or less subject, may retard its progress, but cannot prostrate it. It is founded upon the principles of justice and philanthropy, and presents a phalanx of moral and intellectual grandeur which defies the attacks of its opponents. Its object is the development of the human mind—the education of the masses—the noblest work that can engross the attention of a rational being. Our State is admirably adapted to a system of public schools. We have but a very small proportion of unproductive lands, and our population will be dense and compact, and the time will come when Iowa will rank second to no State in the Union for educational facilities, both public and private.

I am, very respectfully,

Your obedient servant,

THOMAS H. BENTON, Jr.

Superintendent of Public Instruction.

APPENDIX.

Counties.	As allowed by county officers.		As approved by Superintendent.		Interest of the school fund for the year 1852, as apportioned on the 25th day of January, 1853.			
	Salary.	Conting't expenses.	Salary.	Conting't expenses.	Amount reported.	Amount delinquent.	Number of children.	Am't apport'd for schools.
	No. 1.	No. 2.	No. 3.	No. 4.	No. 5.	No. 6.	No. 7.	No. 8.
Alamakee,	425 00	75 00	425 00	10 00	*1,903 30		691	290 22
Appanoose,	200 00	6 00	200 00	6 00	907 29		1908	801 36
Benton,	225 00	10 25	225 00	10 25	671 25	34 85	398	167 16
Boone,	50 00	3 00	50 00	3 00			374	157 08
Buchanan,	30 00	5 00	30 00	5 00	231 68	72	407	170 94
Cedar,	175 00	10 00	175 00	10 00	935 73	82 55	1507	632 94
Clarke,	10 00	10 00	10 00	10 00	3 56		44	18 48
Clayton,	300 00		300 00		1436 67		2219	931 98
Clinton,	300 00	40 00	300 00	40 00	1965 80	229 08	1533	643 86
Dallas,	200 00	10 68	200 00	10 68	811 90	76 86	436	183 12
Davis,	165 00	35 00	200 00	15 00	1174 64		3764	1580 88
Decatur,	125 66	25 00	125 66	25 00	243 70		474	199 08
Delaware,	144 00	6 00	144 00	6 00	738 24	45 35	1126	472 92
Des Moines,	300 00	35 00	300 00	35 00	2271 18	1439 82	5111	2146 62
Dubuque,	400 00	40 00	400 00	40 00	2398 86		4255	1787 10
Fayette,	450 00	15 00	450 00		2272 05	242 10	519	217 98
Fremont,					43 57		693	291 06
Guthrie,	18 00	2 00	18 00	2 00			117	49 14

Henry,	200 00		300 00	10 00	1215 62	251 51	3859	1620 78
Iowa,	60 00	5 00	60 00	5 00	313 07	54 62	453	190 26
Jackson,	500 00	25 00	400 00	25 00	1204 06	83 11	2964	1244 88
Jasper,	55 00	5 00	55 00	5 00	318 13		759	318 78
Jefferson,	500 00	41 10	400 00	41 10	1518 91	57 18	4495	1887 90
Johnson,	280 00	20 00	280 00	20 00	903 36	98 55	2106	884 52
Jones,	400 00	30 00	400 00	35 00	2139 00	126 58	1738	729 96
Keokuk,	170 00	10 00	170 00	10 00	895 29		2067	868 14
Lee,	350 00		350 00		2349 97	249 00	7585	3185 70
Linn,	300 00	25 00	300 00	15 50	1741 88	12 67	2768	1162 56
Louisa,	200 00	15 00	200 00	15 00	1057 31	146 54	2383	1000 86
Lucas,	21 30	40 57	21 30	40 57	17 30	41 55	303	127 26
Madison,	200 00	25 00	200 00	25 00	538 98	130 95	803	337 26
Mahaska,	350 00	10 00	350 00	10 00	1645 70	202 29	2926	1228 92
Marion,	250 00	30 00	250 00	30 00	826 98	200 60	2617	1099 38
Marshall,	120 00	10 00	120 00	10 00	326	27 09	18	78 12
Mills,					40 00		235	98 70
Monroe,	75 00	5 00	75 00	5 00	711 12	117 32	1402	588 84
Muscatine,	200 00	20 00	200 00	20 00	1008 62	21 87	2454	1030 68
Page,							255	107 10
Pottawatamie,	250 00	11 03	66 00	11 03			370	155 40
Polk,	275 00	11 34	275 00	11 34	984 33	278 17	1816	762 72
Poweshiek,	50 00	7 50	50 00	7 50	236 94	23 16	337	141 54
Scott,	330 00	30 00	330 00	30 00	1281 57		3060	1285 20

*Estimated.

Counties.	As allowed by county officers.		As approved by Superintendent.		Interest of the school fund for the year 1852, as apportioned on the 25th day of January, 1853.			
	Salary.	Conting't expenses.	Salary.	Conting't expenses	Amount reported.	Amo't delinquent.	Number of children.	Am't apport'd for schools.
	No. 1.	No. 2.	No. 3.	No. 4.	No. 5.	No. 6.	No. 7.	No. 8.
Taylor,							69	28 98
Van Buren,	400 00	15 00	400 00	15 00	1896 58	35 52	5418	2275 56
Wapello,	300 00	39 12	300 00	39 12	1530 87	192 75	3553	1492 26
Warren,	100 00	10 00	100 00	10 00	284 75	19 53	428	179 76
Washington,	150 00	3 00	150 00	3 00	646 15	21 18	2389	1003 38
Wayne,	150 00	5 00	100 00	5 00	*100 00		315	132 30
Winneshiek,							472	198 24
	$9,753 30	$776 59	$9,454 30	$682 09	$43,967 76	$4,585 47	86,157	$36,185 94
Interest on State Loans,					2,479 57			
Deduct for balance on books for Fund Commissioners and salary of Fund Commissioner of Pottawatamie county, for the year 1851-52				$125 00	46,447 33			
Deduct salaries and contingent expenses of Commissioners, as above,				10,136 39	$10,261 39			
					$36,185 94			

*Estimated.

Counties.	As allowed by county officers.		Approved by Superintendent.		Interest of the School Fund for the year 1853, as apportioned on the 25th day of January, 1851.			
	Salary.	Cont'g't expenses.	Salary.	Cont'g't expenses.	Amount reported.	Amount delinquent.	Number of children.	Am't appor't'd for schools.
	No. 1.	No. 2.	No. 3.	No. 4.	No. 5.	No. 6.	No. 7.	No. 8.
Alamakee,	$275 00	$18 75	$275 00	$25 75	[illegible]		1,013	$507 21
Appanoose,	200 00	8 00	200 00	8 00	1,052 31	$23 06	2 359	1.181 15
Benton,	275 00	6.	275 00	10 66	1,311 93	2 00	570	285 40
Blackhawk,	150 00	20 00	150 00	20 00	33 98		178	89 12
Boone,	75 00	8 00	75 00	8 00	104 14		439	219 81
Buchanan,	80 00		80 00	10 00	379 65		526	263 37
Cedar,	175 00	10 00	200 00	10 00	1,219 62	34 11	2,442	1,222 71
Chickasaw,	200 00	25 00	150 00	25 00	22 67		127	63 59
Clarke,	325 00	5 00	300 00	10 00	327 05		219	109 65
Clayton,	300 00	21 00	300 00	21 00	2,286 47		2,823	1,413 48
Clinton,	400 00	50 00	375 00	20 00	2,162 38	250 00	1,991	996 89
Dallas,	300 00	14 75	300 00	14 75	1,492 29	92 92	561	280 89
Davis,	185 00	20 00	200 00	20 00	1,050 00		4 103	2,054 37
Decatur,	300 00	25 00	350 00	25 00	991 24	98 04	853	427 10
Delaware,	100 00	10 00	200 00	10 00	1,415 50		1.307	654 41
Desmoines,	300 00	30 00	300 00	*62 35	2 376 06	1,296 80	5,203	2,605 14
Dubuque,	400 00	33 25	400 00	47 25	2.965 32	218 72	4,523	2,264 67

Fayette,	475 00		400 00		3,674 25	199 49	989	495 19		
Fremont,	350 00	27 00	*300 00	*27 00	114 10	54 93	838	419 59		
Guthrie,	50 00	2 00	50 00	2 00	29 16		254	127 18		
Hardin,	86 80	1 55	86 80	1 55	92 07		62	31 04		
Henry,	300 00	10 00	300 00	10 00	1,311 00	236 33	4,267	2,136 49		
Iowa,	97 00	3 00	97 00	3 00	671 10	25 00	672	336 47		
Jackson,	400 00	12 50	375 00	12 50	1,843 39	7 50	3,672	1,838 57		
Jasper,	100 00	25 00	100 00	25 00	416 50		1,065	533 25		
Jefferson,	500 00	45 00	350 00	20 00	1,663 77	32 50	4,660	2,333 26		
Johnson,	300 00	10 00	300 00	20 00	1,086 27	127 59	2,662	1,332 86		
Jones,	400 00	35 00	400 00	20 00	3,430 77	14 79	2,427	1,215 20		
Keokuk,	200 00		200 00	10 00	1,015 80	20 00	2,488	1,245 74		
Lee,	400 00		350 00	10 00	1,889 94		7,070	3,539 95		
Linn,	400 00	15 00	375 00	5 50	2,291 26	15 18	3,470	1,737 43		
Louisa,	250 00	15 00	250 00	*23 70	1,246 29	109 20	2,550	1,276 79		
Lucas,	75 00	20 00	*100 00	*62 75	351 80		405	202 78		
Madison,	200 00	25 00	200 00	25 00	1,049 81	230 04	959	480 17		
Mahaska,	350 00	10 00	350 00	10 00	2,361 46		3,243	1,623 77		
Marion,	200 00	20 00	250 00	20 00	1,170 55	100 00	3,165	1,584 72		
Marshal,	140 00	5 00	150 00	10 00	749 38	5 80	461	230 82		
Mills,	100 00	2 95	*116 00	*5 07	68 38		554	277 39		
Monroe,	200 00	7 00	200 00	7 00	948 55	7 00	1,662	832 16		
Muscatine,	220 00	20 00	220 00	20 00	1,325 54	2 75	2,714	1,358 90		
Page,							242	121 17		

*Part for former year.

Counties.	As allowed by county officers.		Approved by Superintendent.		Interest of the School Fund for the year 1853, as apportioned on the 25th day of January, 1854.			
	Salary.	Conting't expenses.	Salary.	Conting't expenses.	Amount reported.	Amount delinquent.	Number of children.	Am't apporti'd for schools.
	No. 1.	No. 2.	No. 3.	No. 4.	No. 5.	No. 6.	No. 7.	No. 8.
Pottawatamie,	250 00	18 75	250 00	18 75	85 70		199	99 64
Polk,	350 0	8 5	35 00	4 83	1,418 32	114 56	1,47	739 03
Poweshiek,	75 00	6 0	75 0	23 34	413 4		236	118 17
Scott,	330 00	29 37	330 00	29 37	1,418 32		3,419	1,726 91
Taina,			150 00	10 00	193 72		168	84 12
Taylor,							220	110 15
Union,			75 00	10 00	3 70			
Van Buren,	400 00	15 00	400 00	15 00	2,103 58	31 30	5,663	2,835 46
Wapello,	350 00	29 50	350 00	29 50	1,701 85	108 48	3,994	1,999 80
Warren,	150 00	3 00	200 00	3 00	535 66	31 93	1,079	540 26
Washington,	200 00	18 00	200 00	18 00	1,226 36	74 05	2,622	1,312 84

Wayne,	150 00	6 00	*200 00	6 00	352 05	49	389	194 77
Webster,	325 00	25 00	300 00	25 00	144 19		139	69 60
Winneshiek,	550 00	11 80	*550 00	*11 80	847 90	49 71	748	374 52
	$13,953 80	$800 98	$13,120 80	$999 61	$62,325 12	$3,624 27	100,170	$50,155 12

Add interest on State Loans, ... 2,479 57

$64,804 69

Deduct salaries and contingent expenses of School Fund Commissioners, as above, ... $14,029 41

" overcharges refunded to sundy counties, ... 173 50

" amount refunded permanent fund in Mahaska county, ... 446 66

14,649 57

$50,155 12

* Part for former year.

A

An abstract of the reports of School Fund Commissioners, for the period commencing October 15, 1852, and ending October 15, 1853, embraced in statements A and B.

Number of school districts.	Counties.	Number of persons between 5 and 21 years.	Number of schools in each county.	Number of pupils in schools.	Number of teachers in schools.		Compensation of teachers per month.		Number of days schools have been taught.	Number of volumes in library.	Average number of pupils who have attended school.
					Male.	Female.	Male.	Female.			
26	Alamakee,	1,013	10	238	6	9	[illegible]	[illegible]	[illegible]		224
46	Appanoose,	2,959	27	[illegible]	16	7	224 16	[illegible]	[illegible]		428
11	Benton,	570	9	212	4	5	29 65	29 50	[illegible]		35
7	Blackhawk,	178									
10	Boone,	429	3	118	2	1	29 00	8 00	201		55
12	Buchanan,	526	9	264	3	6	40 33	53 00	529		186
47	Cedar,	2,442	42	1,146	18	26	367 88	207 22	1224		606
2	Chickasaw	127									
64	Clayton,	2,823	7	330	5	4	61 00	50 00			
2	Clarke,	219	1			1		6 00	62		14
37	Clinton,	1,991	31	864	11	21	169 00	160 00	2798		627
19	Dallas,	561	5	43	4	1	49 00	12 00	224		
74	Davis,	4,103	58	1,088	30	16	475 88	115 67	1906		95
13	Decatur,	853	6	107	4	2	68 34	41 00	226		76

31	Delaware,	1,307	36	804	17	22	249 50	171 40	3070		451
65	Desmoines,	5,203	60	2,736	48	45	906 36	453 73	6110	250	1677
61	Dubuque,	4,523	51	2,066	37	24	528 41	240 41	5607		1038
24	Fayette,	989	19	587	5	14	65 00	103 42	1607		312
14	Fremont,	838	8	217	6	3	114 00	25 00	411		169
7	Guthrie,	254									
2	Hardin,	62	1	18			16 50		39		18
64	Henry,	4,267	54	2,113	44	28	788 81	234 50	3081		1143
16	Iowa,	672	10	322	6	8	104 67	70 00	1008		181
73	Jackson,	3,672	62	1,868	29	49	425 39	286 77	5823	239	1255
22	Jasper,	1,065	13	209	8	7	125 11	48 67	793		146
68	Jefferson,	4,660	88	2,847	57	32	904 16	306 50	6378		1761
56	Johnson,	2,662	33	1,075	25	24	357 66	169 33	2886		538
39	Jones,	2,427	33	835	15	18	284 24	119 78	2397		479
31	Keokuk,	2,488	42	1,353	29	13	429 82	133 67	2695	20	770
99	Lee,	7,070	116	4,174	67	57	1,668 14	422 10	5719		2291
59	Linn,	3,470	47	1,001	27	25	412 66	194 72	3236		596
52	Louisa,	2,550	40	1,451	33	19	635 87	174 61	3262	200	883
9	Lucas,	405	4	104		4		51 17	260		64
24	Madison,	959	11	287	7	4	125 00	37 00	591		211
50	Mahaska,	3,243	45	1,210	28	19	489 50	175 06	2559	50	783
60	Marion,	3,165	47	1,490	30	14	477 83	113 16	3303		832
7	Marshall,	461	3	81	2	1	27 00	15 00	170		56

A.—CONTINUED.

Number of school districts.	Counties.	Number of persons between 5 and 21 years.	Number of schools in each county.	Number of pupils in schools.	Number of teachers in schools.		Compensation of teachers per month.		Number of days schools have been taught.	Number of volumes in library.	Average number of pupils who have attended school.
					Male.	Female.	Male.	Female.			
10	Mills,	467	2	44	1	1	33 00	17 00	65		79
41	Monroe,	1,662	18	419	11	5	132 33	61 76	1175		291
42	Muscatine,	2,714	31	1,377	19	21	367 25	184 33	2111		874
1	Page,	242									
29	Polk,	1,476	14	392	11	5	167 50	46 25	813		158
4	Pottawatamie	199	2	70	1	1	10 00	8 00	90		62
12	Poweshiek,	236	7	197	4	3	64 00	9 00	437		88
43	Scott,	3,449	38	1,157	25	26	472 00	239 66	2544		991
5	Tama,	168									
3	Taylor,	220		220							
89	Van Buren,	5,663	103	3,216	62	48	1,077 22	409 15	6950	59	2065
72	Wapello,	3,994	57	1,709	40	16	648 00	137 44	3648		571
17	Warren,	1,079	16	426	10	4	166 50	54 50	696		376
52	Washington,	2,622	50	1,187	29	30	495 54	245 74	3422	125	855

12	Wayne,	389	4	71	2	2	27 00	18 00	185		46
5	Webster,	139									
21	Winneshiek,	748	6	212	2	8	22 00	51 42	945		103
772		100,083	1,379	42,442	740	599	14.602 21	5,867 64	94,072	943	24,559

B.

Counties.	Aggregate amount paid teachers during the year, and the source from which the same was received.		Amount of teachers fund in hands of Treasurers.	Number of district school houses, and of what material constructed.				Cost of district school houses.	Amount raised in the districts during the year by tax, and for what purpose.	
	Teacher's fund.	Voluntary subscription.		Brick.	Stone.	Frame.	Log.		Erection of school houses.	Contingent expenses.
Alamakee,	297 38	110 02	186 92			1	7	485 00	291 00	10 00
Appanoose,	640 98	625 72	714 05				21	1,420 01	199 31	
Benton,	289 77	68 79	26 66				4	35 00	65 74	
Blackhawk,										
Boone,	18 48	46 52	22 90			1	6			
Buchanan,	149 29	131 54	35 48	1			4	567 57	272 90	51 00
Cedar,	936 79	1,098 88	154 35	3		14	7	7,037 95	2,430 32	177 55
Chickasaw,							1	75 00		
Clayton,	41 30			1		8	12	700 00		
Clarke,							1	50 00		
Clinton,	768 35	355 88	228 59	4	1	7	13	4,290 02	316 10	168 75
Dallas,	33 29	41 71	297 79				5	288 25	235 00	21 00
Davis,	1,211 25	481 77	876 48			2	3	685 90		50 75
Decatur,	205 00	108 00	2 40				5	175 00		
Delaware,	654 96	762 85	40 36			5	14	1,752 70	722 51	94 72
Desmoines,	3,956 54	1,677 42	1,146 77	17	4	17	21	22041 80	3,991 15	94 94

Dubuque,	2,049 76	1,206 66	555 37	5	1	10	24	5,407 75	559 99	234 60	
Fayette,	341 81	258 43	41 87			1	9	462 39	383 00	90 87	
Fremont,	150 53	143 41	292 98	1		2	5	1,490 00	1,150 00	50 00	
Guthrie,			58 42			1		239 00	262 98		
Hardin,							1	31 50			
Henry,	2,194 91	975 40	637 44	5		13	11	49 91	745 00	139 00	
Iowa,	185 85	339 13	156 38				6	246 42	78 00		
Jackson,	1,247 26	1,979 04	318 30	4		25	32	6,627 01	836 49	135 22	
Jasper,	206 20	345 93	144 58			1	9	654 51		21 00	
Jefferson,	2,841 53	1,604 51	555 13	4		11	41	1,203 29	856 53	139 09	
Johnson,	851 02	776 89	161 97	1		9	17	2,952 00	500 10	24 29	
Jones,	737 65	575 21	258 82	1		8	16	2,255 65	31 50	238 75	
Keokuk,	1,042 64	758 46	363 87			4	20	2,796 14	960 00	54 70	
Lee,	6,861 49	2,349 45	1,344 78	15	4	32	25	26954 19	4,271 87	457 10	
Linn,	1,101 41	989 76	162 51	2		10	14	2,797 00	491 00	61 00	
Louisa,	1,407 66	1,016 39	469 47	7		15	11	6,950 10	3,115 23	88 00	
Lucas,	19 80	133 70	76 73				3	80 00	30 00	18 40	
Madison,	354 50	208 50	155 35			3	6	782 00	580 00	39 71	
Mahaska,	1,110 31	708 61	1,014 46	1		8	26	2,810 00	775 00	191 43	
Marion,	1,050 77	953 38	370 67	1		5	25	3,433 49	673 54	86 94	
Marshall,	46 57	19 42	108 97								
Mills,	93 30	37 50	4 23				3	127 00		6 00	
Monroe,	456 64	300 71	64 31			1	16	909 00			
Muscatine,	1,179 79	1,792 94	553 06	3	1	11	4	6,794 00		13 00	
Page,											
Polk,	376 14	252 43	110 50			3	6	1,101 05		30 00	

B.—CONTINUED.

Counties.	Aggregate amount paid teachers during the year, and the source from which the same was received.		Amount of teachers' fund in hands of Treasurers.	Number of district school houses and of what material constructed.				Cost of district school houses.	Amount raised in the districts during the year by tax, and for what purpose.	
	Teachers fund.	Voluntary subscription.		Brick.	Stone.	Frame	Log.		Erection of school houses.	Conting't expenses.
Pottawatamie	117 50		23 00				3	150 00		73 66
Poweshiek,	182 20	10 12	93 57			2	4	496 36	636 92	26 50
Scott,	1,864 98	692 14	464 55	5	1	7	6	8,104 00	3,067 00	412 70
Tama,										
Taylor,							3			
Van Buren,	2,844 76	2,108 40	492 54	8		33	33	12,174 50	944 37	192 46
Wapello,	1,534 71	903 45	486 03			7	21	2,448 22	537 25	55 70
Warren,	383 11	201 35	83 55			3	10	1,785 00	652 39	10 00
Washington,	1,386 04	756 13	330 05	2		15	15	4,165 80	866 85	155 37
Wayne,	140 40	100 67								
Webster,										
Winneshiek,	123 73	79 43	122 78			2	5	897 28	271 28	15 99
	$43,688 25	$28,406 65	13,808 99	91	12	297	459	144,978 76	31,800 32	3730 10

REPORT

OF

T. S. WILSON,

JUDGE OF 2ND JUDICIAL DISTRICT,

State of Iowa,

TO THE GENERAL ASSEMBLY.

IOWA CITY:
B. A. MAHONY & J. B. DORR, STATE PRINTERS.
1854.

To the General Assembly of the State of Iowa:

Section 1588, chapter 93, of the Code, enacts that, "Each of the Judges of the Supreme Court and District Courts shall report to the Legislature, at each regular session thereof, all omissions, discrepancies, or other evident imperfections of the law which have fallen under his observation."

At the last session of the Legislative Assembly, the Senate passed a resolution, calling upon the Judges of the Supreme and District Courts, for the reports contemplated by the foregoing section, but none were made, for the reason that the other more urgent and imperious duties of their offices had left no time to the Judges for the performance of this branch of duty. The same reasons which existed then exist now, why an elaborate report should not be furnished to your honorable body, embracing all the imperfections of the present system, and I must, therefore, confine myself to those which seem to be the most glaring, and the most to require immediate amendment.

1st, the subject of divorce.

The numerous applications for divorce which the calender of cases in our courts exhibits, clearly indicate their origin to be in the numerous causes for which it may be asked, and the consequent facility with which decrees have been obtained.

A divorce may be obtained for any one of eight causes, viz:

"First, When the defendant at the time of his marriage was impotent."

Second, When he had a lawful wife then living.

Third, When he has committed adultery subsequent to the marriage.

Fourth, When he wilfully deserts his wife, and absents himself without a reasonable cause for the space of one year.

Fifth, When he is convicted of felony after his marriage.

Sixth, When, after marriage, he becomes addicted to habitual drunkenness.

Seventh, When he is guilty of such inhuman treatment as to endanger the life of his wife.

Eighth, When it shall be made fully apparent that the parties cannot live in peace and happiness together, and that their welfare requires a separation.

For any of the above causes the husband may, in all cases, obtain a divorce from the wife. The divorce which is decreed entirely dissolves the marriage relation existing between the parties. Some of these causes are not recognized in very many of the other States as grounds for which either kind of divorce may be decreed; in other States where they are regarded, such grounds constitute merely a cause of divorce from bed and board.

Divorces *a vinculo matrimonii* should, in my opinion, only be granted for the following reasons, viz:

First, Adultery after the marriage.

Secondly, Impotency at the time of the marriage.

Thirdly, Wilful desertion for three years.

Fourthly, where one of the parties is guilty of such inhuman treatment as to endanger the life of the other.

The second cause specified in the Code, viz: Where the defendant has a lawful wife living, is wholly superfluous, because under such circumstances the second marriage is wholly void.

The eighth cause, to wit: "When it shall be made fully "apparent that the parties cannot live in peace and happiness "together, and that their mutual welfare requires a separation,"

should be wholly set aside as a ground for divorce, because it holds out an inducement to husband and wife so to demean themselves towards each other as to create this ground of divorce, and, in many cases, destroys all motive to the cultivation of good temper and harmony of feeling, or to the sacrifice of personal inclination for mutual happiness. It leads parties to do as jurors often do, to "agree to disagree," and for the same object, that they may be discharged by the court. So long as this latter cause of divorce stands upon your statute book, persons will be encouraged to enter into the matrimonial state, heedlessly and thoughtlessly, impressed with the belief that if they are not happy, or if their welfare should require a divorce, the law will compel the court to decree it; whereas, the happiness and interest of society, as well as of families, requires that this relation should only be entered into by the parties after mature deliberation, a thorough acquaintance with each other's character and disposition, and that they should regard it as only to be severed by death.

That marriage is a civil contract, is an admitted truth, yet it does not follow from this that all the incidents that apply to other contracts apply to this. Many reason in this way: Marriage is a civil contract, and like other contracts. If my neighbor contracts to build me a house at a stipulated price, and does not build it, I am not compelled to pay the price; the court, under such circumstances, will relieve me by setting aside the contract. My wife, at the time of our marriage, agreed to perform her part of the contract; if she does not, the court should relieve me from the performance of my part by granting a divorce. To this it may be replied, that marriage is the most important institution of human society, and involves the most valued interest of every class. It changes the relations of parties to each other and to society,—that in these respects it is wholly different from other contracts, and that the setting aside of other contracts affects only the parties, while the setting

aside the marriage contract affects vitally, not only the welfare of the parties, but that of families and the community at large. It is a well settled principle of law and philosophy that every individual, in entering society, gives up so much of his natural liberty as is necessary to the well being and happiness of that society, and this principle applies not only to prevent man's commission of crime, but also to his performance of his marriage contract. The same necessity which makes bigamy a crime, demands of him fidelity to his marital vows, and that necessity is the well being of himself and of society. No such contract was ever violated where a serious injury was not inflicted upon the community, and no divorce was ever *improperly* granted without inflicting a still greater. That many have been improperly granted cannot be denied, even admitting the causes specified in the code to be good causes. This may have been owing to prejudiced or corrupt testimony, or to an improper view of the case (an error to which Judges, like all others, are liable,) or to a suppression by the applicant of the real merits of the case. The latter is very liable to occur where, as in most cases of applications of this character, the proceedings are *exparte*, and where but one side of the case is presented. It follows, as a necessary consequence, that as you multiply the causes of divorce, so do you in a two-fold manner increase the liability to an improper setting aside of the marriage contract, for every cause for which it may be granted gives rise to a new class of applications. There are other objections to the eighth cause of divorce as specified in the Code, among which are the following, viz:

First, That it makes the happiness and welfare of *the parties* alone the only object of consideration, whereas, as has been shown, it involves materially the most precious interests of society.

Secondly, It dispenses with the existence, allegation, or proof of any direct or positive act or acts of wrong to the

defendant cannot know what he is called upon to defend,—a right not denied to him in all other cases, no matter how unimportant the subject of litigation, or trifling the amount in controversy. This cause of divorce is undefinable, intangible, and cannot be responded to.

Thirdly, It leaves it to the discretion of the judge, or jury (for by an act of the last Legislature a jury may be demanded in all cases) to say what is best for the welfare of the parties, and so leaves it even where no special cause has been alleged or proved, and where the conclusion is to be formed on the opinion of witnesses. There is no limit to the exercise of this discretion, except the welfare of the parties, and what is for the welfare of the parties may be a matter of fancy or conjecture. That which to one judge or jury would seem to call loudly for the exercise of this discretion in granting a divorce, might to another appear barren of any grounds whatever. Thus there would be and could be no uniformity of decision, as to what course of conduct on the part of husband or wife would justify a judge or jury in the conclusion that the parties should be separated. Who that is a husband or wife can tolerate the idea, that the continuance of this relation may depend upon the whimsical or capricious opinion of a gossiping, ignorant, or unfeeling witness? Who would hold such interests by such an uncertain tenure? In legislating upon such important interests, the public good requires, wherever it can be done, that the boundaries of right and wrong should be clearly designated.

In order to prevent persons from emigrating from other States to this State, for the purpose of applying for divorces, the causes for which they are granted should originate in this State. The present law has been construed by the Supreme Court so as to authorize divorces for causes arising out of the State, and gives rise to *ex parte* cases, and consequently to an imperfect administration of justice between the

parties, who ought, if either party desires a divorce, to be compelled to resort to a legal tribunal where the causes of divorce originated, and where the parties are best known.

I would also report as requiring amendment, the law allowing appeals from Justices of the Peace to the District Courts. As the population of the State increases so is the increase of litigation in the District Courts, and these courts ought not to be burdened with the hearing of all cases appealed from Justices. Sometimes the District Court is occupied a whole day in the trial of a case of appeal, where the amount in controversy is under five dollars. In my opinion it would be advisable to allow appeals, where the judggment appealed from, exclusive of costs, is under fifty dollars; to require the appeal to be taken to the County Court and tried before a jury of six men, giving to the District Court the power to review the case and correct errors upon *certiorari*. This would relieve the District Courts from some of its burdens; it would prevent appeals being taken for delay, as the County Courts sit monthly, whereas, in some of the counties, the District Court sits but once a year, and such a system would give all the benefit now afforded by the present law.

The statute upon the subject of authorizing the District Courts to hold special terms is imperfect in this, that it does not authorize the Judge to hold a special term whenever the business of the Court requires it. Sec. 1569 authorizes the Judge to order, at any regular term, a special term. Sec. 1570 authorizes him to call a special term for the trial of those causes in which both parties consent to a trial. These sections do not go far enough. It not unfrequently occurs that immediately after the adjournment of the Court, a criminal case arises which it is important to all the parties concerned that it should be immediately investigated. It is important to the public that the defendant, if guilty, may be punished; it is important to the accused in order that, if innocent, he may be acquitted of

the charge, and not be compelled to undergo long imprisonment. It will be seen that, by the present law, if the case arise after the adjournment of the regular term, no special term to try it can be held.

There is a conflict between the 12th section of the Bill of rights of the State, and sections 3211 and 3212, chapter 192 of the Code, in reference to the right of a person charged with the commission of a crime to be admitted to bail. By the former, it is provided, that "all persons shall, before conviction, be bailable by sufficient sureties, except for capital offences, *where the proof is positive or the presumption great.*" Section 3211 declares that the defendant cannot be admitted to bail where he is *charged* with an offence punishable with death, and Sec. 3212 declares that the defendant may be admitted to bail as a matter of right in cases of misdemeanor, and as a matter of discretion in all other cases. These two sections of the Code, it will be perceived, conflict directly with the bill of rights.—By the latter the defendant, although *charged* with an offence punishable with death, is entitled to bail unless the proof be positive or the presumption great. By the Code the mere *charging* the defendant with a capital offence deprives him of the right to bail, no matter how slight the proof or weak the presumption, and in *all cases* of crime it leaves it as a matter of discretion with the justice of the peace or judge to say whether the defendant shall be admitted to bail or not. So far as these sections conflict with the bill of rights they should be repealed. Respectfully submitted.

T. S. WILSON,
Judge Second Judicial Dietrict.

Twelve Millions Dollars Annually.

SUGAR TAXES:

SHALL THEY BE CONTINUED OR REPEALED?

Read carefully; Reflect, Decide, and then Act.

PEOPLE'S EDITION, 10,000.

COLUMBUS, OHIO:
1854.

TO THE

SUGAR CONSUMERS AND SUGAR TAX PAYERS OF THE UNITED STATES.

SHALL THE SUGAR TAXES BE ABOLISHED, OR CONTINUED TO THE AMOUNT OF TWELVE MILLIONS OF DOLLARS ANNUALLY?

It is a well known fact, that the revenues of the United States, derived mostly from impost duties, have rapidly increased in the past three years beyond the requirements of the Government, and that there is now a surplus of more than thirty millions of dollars in the treasury which the people have paid by the system of indirect taxation beyond the wants of Government. In view of this state of things, the President of the United States, in his message to the present Congress, recommended a reduction of the tariff so that the revenues might be reduced to an amount within the actual wants of the Government. The Treasury Department, in its report to Congress, recommends a large addition of articles to the free list as a means in part of reducing the revenues, and furnishes a list of the articles proposed for the new free list, among which are — Drugs, Dye Stuffs, Raw Silk, Flax, Flax Seed, Fruits, Oils, Spices, Mahogany, Rosewood, Pearls, Diamonds, Watches, Wines, and many articles of luxury.

Much regret and astonishment have been expressed, that Sugar and Molasses are omitted from the proposed new free list, as these articles now rank among the most common necessaries of life among all classes of the people, and as such, every man, woman and child in this country (a few sugar planters excepted), are interested in obtaining them as cheaply as possible, and free from taxation.

Coffee and Tea have been allowed a free importation for some years, while Sugar and Molasses have been taxed by impost duties to the amount of many millions of dollars annually in order to give protection to a few sugar planters in Louisiana, and this protection to their interests by the Sugar Tax has been so ample, that they

have grown immensely rich under it, and no longer require it, (as we will hereafter prove,) to sustain them against the competition of the foreign sugar planter. Under the protection of a thirty per cent. Sugar Tax on the people, the cultivation of Sugar in Louisana has rapidly increased from a crop 140,000 hogsheads in 1846, to 320,000 hogsheads in 1852, and the crop of 1853, now coming into market, is reported at New Orleans to be not less than 375,000 hogsheads. Very great improvements have been made in late years in the cultivation of the sugar cane in Louisiana, whereby much larger returns of Sugar and Molasses are obtained from the acre and from the working hand than in former years, and these returns prove conclusively that well conducted sugar planting in the climate and soil adapted to it, is unquestionably the most profitable agricultural pursuit on a large scale in this country, and no more requiring a protective duty from the Government to ensure its profitable and increasing culture, than the cultivation of corn and wheat on the rich prairies of the West.

By the cultivation of Sugar in Louisiana, the most princely agricultural incomes in this country are derived, many of which now range from fifty thousand dollars up to one hundred thousand dollars per annum! Sugar planting in this country has long since outlived the *necessity* of a Sugar Tax on the people for its protection, and no longer requires it, in proof of which, we will now give various sugar planting statistics and facts obtained from the most reliable sources, among which, we invite the reader's particular attention to the following facts obtained from the March (1853) number of De Bow's Review, a journal published at New Orleans, and largely devoted to southern agriculture and to the interests of the sugar planters. The article in De Bow, from which we make these extracts, is a lengthy one on the culture of Sugar in Louisiana, compared with its culture in the West Indies, and while it strongly advocates a *protective* duty on Sugar by the Government, it also admits that the sugar planter in Louisiana *can* and *does* obtain as much Sugar to the acre as the West India planter obtains. This article claims that the Louisiana sugar planter obtains from each working hand in his cane fields, two to three times as much Sugar as is obtained by the West India planter, and this as proved by many facts and statistics, from which we select as follows:

"The Orange Grove Plantation, a little below Donaldsville, Louisiana, the last season, made with only 106 negroes, including men, women and *children*, 900 hogsheads of Sugar of 1000 pounds each." "Mr. WILKINS, of the Parish of St. James, Louisiana, the last season, made 900 hogsheads of Sugar with 60 working hands!" As each hogshead of Sugar yields 50 to 60 gallons of Molasses, we have for the product of a working hand on this plantation, 15 hogsheads of Sugar and 700 to 900 gallons of Molasses!!!

"Mr. JAMES WAFFORD, of th Parish of St. Mary, La., made the past season on 40 acres of land, 190 hogsheads of Sugar."

"By referring to the 'Banner' of the 25th of December, published in Franklin, La., it will be seen that many planters in the vicinity of that town have just made upwards of three hogsheads of Sugar of 1000 pounds each to the acre." "Col. PRESTON, of Ascension, La., averaged 3000 lbs. of Sugar to the acre on 200 acres."

These facts from DE BOW'S Review, show that Sugar planting is a very profitable business in Louisiana, and that planters *do* obtain from ten to fifteen hogsheads of Sugar, and from 500 to 800 gallons Molasses to the *working* hand, and that they do, by good cultivation, obtain 3000 pounds of Sugar to the acre.

Admitting that *good* brown Sugar and Molasses are sold at the low price of 3 cents per pound for Sugar, and 10 cents per gallon for Molasses, we then have a product of over $100 per acre, and between $500 and $600 to the working hand.

In further proof that improved cultivation of the cane gives 2000 to 3000 pounds of Sugar to the acre, we copy the following letter from the New Orleans Courier, relative to "Guano in the production of Sugar."

We deem it unnecessary to enter into any details to expatiate upon the merits of guano, and the wonderful results obtained from the use of this article. The question is now solved by experience, and the usefulness of this manure has long been tested. Still up to this we had known it to be applied to worn-out, used-up lands, and little did we think that it could have any material effect upon so rich a soil as this of our Louisiana. Such seems, however, to be the fact, as will be seen by the following letter addressed to Messrs. CASTILLO and HARISPE, by two of our well known and respected citizens, B. and V. LEBRANCHE;

LUCIEN LABRANCHE'S PLANTATION,
PARISH OF JEFFERSON, February 12, 1854.

MESSRS. CASTILLO & HARISPE, New Orleans—

GENTLEMEN: We have to thank you for your kindness in sending to us, in January, 1853, five sacks of guano, from the "Chincha Islands," for the purpose of trying experiments upon our plantation, and we have also to communicate to you the result we have obtained upon four arpents of land to which we have applied it.

The canes were placed in windrow, on the 24th December last, and were rolled on the 6th instant, by the ordinary process. The juice of the cane, after settling for three hours, weighed 10¼ degrees, and the four arpents yielded 10½ hogsheads, weighing each 1,200 pounds net.

In order to establish a comparison, we measured four arpents of the same land as the above, and immediately adjoining them, with ordinary stable manure. The result was as follows:

The canes were apparently as fine as those of the guano land. We also placed them in windrow, and rolled them at the same time as the others. The juice weighed 8½ degrees, and produced 6⅔ hogsheads of 1,200 pounds per arpent. The sugar was inferior to the first by one-half per cent.

The enormous difference showing in favor of the guano, is an encouragement to persevere, and we beg you will send us thirty tons of it.

Should you desire it, we authorize you to publish the letter.

(Signed,) B. & V. LABRANCHE.

In other words, four arpents of land, manured with stable manure, produced six and two-third hogsheads of sugar of 1,200 lbs; while the same quantity of land manured with guano, produced ten and a half hogsheads.

A Western paper copies the above letter on Sugar culture, and makes the following comments:

If the sugar planters can, by the use of a little guano, increase their product of sugar per acre, from two thousand pounds to three thousand pounds—an increase of fifty per cent., it is strong proof that sugar planting in Louisiana, *well managed*, has *outgrown* the necessity of a productive duty. The planter can, by the use of the

guano, have the satisfaction of increasing his crop fifty per cent., whereas the placing of sugars on the free list would not effect the price of his crop more than the duty, which is thirty per cent., and he may rest satisfied, that if the cost of sugar to the consumer is reduced thirty per cent. the consumption will be increased fully fifty per cent., consequently, free sugars and guano would benefit both sugar planters and sugar consumers.

An arpent is a little less than an English acre. A sack of guano contains usually 130 to 150 pounds, and costs from 2 to 2½ cents per pound, and the result of its use shows that about 200 pounds to the arpent increased the Sugar 1000 pounds, and Molasses in proportion. This shows the advantages of good cultivation.

The following statistics of a Sugar plantation on the Mississippi River, in Louisana, and of the crop thereof in 1852, were furnished by the planter himself:

"The plantation is in a high state of cultivation; has 100 negroes, of which 60 are field working hands and mechanics; 400 acres of cane in cultivation, 200 of which are plant cane and 200 are stubble cane; 325 acres of the cane was made into Sugar, and 75 acres of cane was retained for planting or seed cane. The yield of the crop was about 2,500 pounds of Sugar to the acre. The net sales of the Sugar and Molasses amounted to $32,400, and there was paid out for plantation expenses, repairs of machinery, and for the purchase of mules, $7,400—leaving as profits for the estate $25,000. The corn raised on the plantation was sufficient for all wants. The wood for making Sugar is cut by the negroes on the place. The plantation and negroes are valued at $150,000."

By the statements from this plantation it will be seen that sixty working hands made in one season from three hundred and twenty-five acres of canes a net profit, after paying all expenses, of twenty-five thousand dollars! A net profit on each working hand, after paying all expenses, of upwards of four hundred dollars!!

We ask the Agriculturists of the West, of the South and of the North, what other agricultural business in this country will show such results as this sugar planting shows, and for which the people are now taxed 30 per cent. on all the sugars they consume, for no purpose but to make this sugar planting still more profitable?

We now invite the attention of our readers to another class of Louisiana Plantations, which have large Refineries on them, and which make the crop direct into a species of refined sugar, called in Louisiana "Clarified Sugar," the syrup from which sells as syrup and not as molasses. We find in the November, 1853, number of HARPER'S Magazine, a full description of one of this class of Louisiana Sugar Plantations and Refinery, in an article on "Sugar and the Sugar Region of Louisiana," by T. B. THORP, from which we extract as follows:

"Many of the largest plantations in the State are properly 'Refineries,' for they have the means not only for producing white or refined sugar directly from the cane juice, but occupy a portion of the year in 'working over' the brown sugars made on other plantations. Eminent among these large estates is one in the Parish of St. James, and the particulars relating to it will not prove, perhaps, uninteresting to the reader.

REFINERY AND PLANTATION OF ST. JAMES.

"The tract of land connected with this estate contains nine thousand acres, one thousand five hundred of which are under cultivation and divided as follows: Eight hundred acres in cane; two hundred and ninety-four acres in corn; one hundred and fifty acres cultivated by the negroes for their own use; ten acres in *olives;* the remainder of the fifteen hundred acres alluded to as under cultivation, is taken up by potatoes, building lots, pasturage and gardens; the remainder of the nine thousand acres is in forest, from which is taken the fuel consumed in manufacturing and the timber for the casks used in packing the sugar for market.

"The stock upon the plantation consists of sixty-four mules, twelve horses, sixteen oxen, one hundred and forty-five sheep, eighty head of cows and 'beeves,' two hundred and fifteen slaves—among which are one hundred and seven field hands—two coopers, one blacksmith, two engineers, four carpenters, *twenty house servants,* four nurses, eleven old men and women that attend to the stables, and *sixty four children under five years of age.*

"The cash expenses of this establishment are twenty thousand dollars annually, paid to managers, sugar makers, engineers and for food and clothing for the negroes and repairs of machinery and buildings.

VALUE OF THE ESTATE.

Land, 9,000 acres, at $40 per acre	$360,000
Buildings	100,000
Machinery	60,000
Slaves	170,000
Stock	11,000
Total	$701,000

PRODUCTIONS OF THE ESTATE IN 1852.

Sugar (clarified) 1,300,000 pounds at 6 cts	$78,000
Syrup (clarified) 60,000 gallons at 36 cts	21,600
Total	$99,600
Corn, 9,000 barrels for consumption on the estate, Wood, 3,000 cords for engine house, estimated value,	$14,400
Total products of the estate	$114,000

"This plantation shows the average production of the best class of Sugar estates in Louisiana, the largest of which, in 1852, yielded a revenue of *one hundred and fifty-two thousand and fifty dollars;* but these estates increase the value of their products, by the aid of costly machinery, not used on the ordinary plantations."

The statistics of this St. James plantation will interest the Sugar Tax payer and consumer, as well as the general reader, as they show how "big capitals" for sugar planting in Louisiana are made up, by putting in immense tracts of wild lands, (this St. James plantation has *only seven thousand five hundred acres of "forest,"* at $40 per acre, making $300,000 of the capital,) all the house servants and negro children, and in some instances princely mansions with marble floors, all estimated at extravagant prices, in order to show an immense capital, and that the sugar planter only makes 10 or 12 per cent. on his investment. These St. James statistics do show that 131 working negroes—men and women—(we don't include the house servants or negro children under five years of age,) produced in one year, from 800 acres of cane, $99,600 worth of Sugar and Molasses, leaving for net profits $79,600 after deducting the cash expenses of the estate, $20,000. They further show a profit of nearly $100 from each acre of cane, and $600 profit to each working hand!!

We ask the Agriculturists of this country, what other staple product of our land will, by the labor of 131 working hands, from 800 acres in one season produce a net profit of $79,600 ?

It will be for the people to decide whether they wish to continue to pay millions of taxes every year on sugars to insure the planters such rich returns from their business, or whether they will call on Congress to repeal the Sugar Taxes, which are no longer wanted as a revenue by the Government. As but very few persons have any idea of the enormous amount annually paid by the consumers of Sugar and Molasses, as Sugar Taxes growing out of the system of Government duties on Foreign Sugars and Molasses, we copy the following from the "Ohio Statesman," which shows them how much they pay annually to ensure a few rich Sugar Planters princely incomes of from twenty-five thousand to one hundred thousand dollars per annum :

"There are about 1500 sugar plantations in Louisiana. Many planters own two and three plantations, and the number of planters may be set down at 1200. To get at the amount which it costs the people for the sugar tax, and protection of these sugar planters, we give below the following figures :

"Amount of foreign sugars and molasses imported in 1853, $20,000,000, the duties on which, at 30 cents ad valorem, is $6,000,000. The value of the sugars and molasses produced in Louisiana and Texas, in 1853, exceeded $19,000,000—the increased price of which, to the consumers, caused by the sugar tax, was at least 20 per cent.—say $4,000,000. Here are six millions paid to the Government as duties, and four millions, increased price of Louisiana sugars and molasses, paid to the planters of Louisiana by the sugar consumers as a part of the sugar tax. But the cost of this onerous tax does not stop here. The consumers have to pay the profits and advances of importers, wholesale and retail merchants, on the ten millions of duty and increased cost, which will swell the amount at least two millions more, making in all at *least* TWELVE MILLIONS OF DOLLARS, which the great mass of the people pay annually as a direct or indirect tax, for protecting some 1200 sugar planters !

"We append a table showing just what is taken from the people to support this grand sugar monopoly :

Estimated value of foreign sugars and molasses imported in 1853, $20,000,000; (the actual amount imported in 1852 was $18,307,974,) duty at 30 per cent., on sugars and molasses	$6,000,000
The Louisiana Sugar crop of 1853, was 368,129,000 pounds Sugar, 22,100,000 gallons of Molasses; value at 4 c. per pound for sugar and 20 c. per gallon for molasses, was $19,145,160. The advance on which, or increased value, caused by duty on foreign sugars and molasses, at 20 per cent., is estimated at	3,829,000
	$9,829,000
To this amount we must add for importer's and merchant's profits, or advances on the $9,829,000 before the sugars reached consumers, at least 25 per cent	2,457,250
	$12,286,250

"Making a total for direct and *indirect* taxes to sugar consumers of $12,286,250 in one year!!"

These figures show that the Sugar consumers pay annually upwards of twelve millions of dollars in Sugar Taxes, in order to increase the annual profits of the Sugar Planters FOUR MILLIONS OF DOLLARS!! This is what Dr. FRANKLIN in olden times would have called in his "*Poor Richard*," paying pretty dearly for the "*Sugar Whistle.*" What say the Sugar consumers and Sugar Tax Payers to the Twelve Millions of Dollars which they now annually pay directly and indirectly for Sugar Taxes?

Shall these taxes be continued—to secure princely fortunes to a few wealthy Sugar Planters, while the Government with its overflowing Treasury, does not need the money? or shall these Sugar Duties be repealed as an act of justice to the great mass of the people?

A Missouri paper speaks thus of this enormous Sugar Tax:

"It is a tax literally upon the whole people for the benefit of the owners of some fifteen hundred sugar plantations, the wealthiest aggregate community in the whole country, and beyond all question their profits exceed those of any other agriculturists in the United States; a tax which the Government no longer requires for revenue, and which should, therefore, be abolished at the present revision of the tariff; a tax which adds to the enormous incomes of the richest men in the community, and to the surplus revenues of

rnment, to be scrambled for by jobbers and plunderers of the pub-
c treasure. We have shown in our former articles that on the well
altivated sugar estates the product of sugar and molasses per acre
as from 1600 to 2500 pounds of sugar, and from 75 to 125 gal-
ons of molasses—and that the *working hands* on such plantations
veraged from ten to twelve hogsheads of sugar, and from five to
x hundred gallons of molasses for each hand—the same hands
ise all the corn and other produce required, cut the wood for
aking the sugar, and keep up the beautiful gardens for which
any plantations are celebrated. It is a common estimate among
ood planters, that their product of molasses will pay all plantation
xpenses, and leave the sugar for net profits. This gives a profit of
om four to five hundred dollars for each working hand, estimating
ood brown sugars at four cents per pound, which has been the
verage at New Orleans for the last four years. These results of
ugar growing have been obtained from the most reliable sources,
nd show profits which no other agricultural business can show on
large scale; we stand prepared to verify what we have stated, in
e most complete and satisfactory manner.

It is not an unusual thing in the sugar region of Louisiana for
en who have been overseers, and who have thus acquired a knowl-
ge of the business, to purchase sugar estates on credits, and pay
them in a few years from the profits on their crops. We can
int to instances where such men have become the owners of
incely estates with incomes of from twenty to one hundred thou-
nd dollars per annum. In what other agricultural pursuit can
ch fortunes be amassed in so short a time? and what would the
gar growers say if it were impossible to grow wheat in any part
the United States except in some half dozen counties in Illinois,
id the sugar planters were compelled to pay the Illinois farmers
irty per cent. bonus upon their wheat and flour? That we take
would be a case in which the lawyer's bull had gored the farmer's
Now the farmers pay the planters thirty per cent. bonus for all
sugar they consume, and to the planter it seems all right and
per. If the planter were compelled for a little while to pay the
me thirty per cent. bonus on his flour and wheat, he would soon
ver, as the lawyer did, that the case being altered, alters the

The New York Evening Post says: "When we consider th vast numbers of those who are compelled to pay the sugar tax, an the smallness of the class for whose benefit it is paid, the repe must appear reasonable to all except those who are enriched by i The people of the United States are great consumers of sugar an molasses—more so, we are fully convinced, than the people of an other country. Go where you will, to the wildest parts of the Un ted States, at the North or South, at the East or West, you fin supplies of sugar and molasses in the *remotest* settlements. Th consumption is, perhaps, inordinate, but it is a fixed and genera habit—as much so as reading newspapers. The tax, therefore, fal upon everybody; it is paid by the inmate of the humblest log cabin and it falls almost as heavily upon him as upon the owner of th proudest mansion

The persons who are protected, as it is called, by the sugar tax are a few hundred sugar planters in Louisiana, proprietors of the thousands of acres and large gangs of work-people. To make the plantations profitable, millions of laboring people in every part the United States are taxed in an article, the universal use of whi has made it a necessary of life."

The "Ohio Statesman," in commenting on the Tariff and Sugar duties, speaks thus:

"Under the tariff of 1846, our treasury has been filled, yea, h even had a surplus of thirty millions! Whence came this surplus Out of the pockets of the indirect tax payers—the consumers. Th tariff is to be modified. But how? That is the question. Th Democrats of the west are in favor of so modifying it as to m the burden the least on the greatest body of consumers. Th who toil, who have not the means of purchasing much more the necessaries of life, should be favored by this modification.

In looking over the articles on which the tariff is laid, we find no article of such general consumption as sugar. It is as common as bread, as indispensible as light. It enters into the dome economy of every household. No cabin is too rude, no p residence too grand, where this article is not of daily use. I ness, in health, in plenty, in scarcity, in prosperity and ad no family can be without its sugar. And yet do the peop that for *every dollar's worth they buy, nearly one thir*

the form of a tax, and not a part of the price. Do they know that six millions annually is contributed in the form of protection to lordly sugar planters of the south, that it is this tax that now encumbers our treasury, drawn from the hard industry of the land? We adverted to this subject last summer. Let us examine it further now that action is demanded of our Congressmen on this topic.

We are against the injustice of a long continuation of the onerous sugar and molasses tax. The idea that the sugar planters will be ruined by the *free* importation of sugar and molasses, is without foundation. Those who know of the large profits of well managed brown sugar plantations, know that the idea of the necessity of the sugar tax is ridiculous humbuggery.

The government do not require the sugar tax any longer for revenue. We have contended all along that sugar and molasses should be put on the free list with coffee and tea. The sugar planters, without the protective sugar tax, can do a highly profitable business, a better business than cultivating corn, cotton or wheat; why, therefore, should the people any longer pay this enormous tax? If they desire to have this tax on sugars and molasses abolished, let them petition Congress, and call on their Representatives for this end. While the government must be supported by duties on imports, let those duties be on the luxuries of life and not on such articles of common use and necessity as sugar and molasses, which now amounts to 30 per cent. on all sugar and molasses; and which, if abolished, would save the consumer from one to three cents per pound, on brown sugars up to the best refined white sugars. Such a tax is at war with the liberal policy of the age—contrary to Democratic equality, because against the interests of the masses—unnecessary for revenue, and *ought to be repealed, and we trust will be repealed!* On behalf of the great body of the people of Ohio, we demand a careful consideration of their interests on this onerous tax."

The Sugar planters will make a desperate effort for a continuation of the Sugar Tax, and though they are but few in number, yet are they *rich* and *powerful*, and exert *great influence at Washington.* They have too long been the "pets of Protection" to abandon without a struggle, their hold on that *sweet monopoly*, "the thirty cent. Sugar Tax on the people."

Let the people remember that these Sugar planters understand *how to make bargains at Washington*, and that their *last bargain* is now costing the Sugar consumers twelve millions of dollars a year! The following extract from the New York Post, intimates how these Sugar planters make bargains at Washington:

"We cannot forget that we owed the high duties on cottons and woollens, with which the country was so long burdened, in part to the Louisiana sugar planters. Whenever the question of a change in the tariff has come up, they have thrown their whole political influence into the scale of protection. They said to the owners of the cotton and woollen mills, help us to make the people tributary to the profit of our plantations, and we will help you to levy a tax for the benefit of your mills. The bargain was made accordingly, and the people were taxed, through a combination of interested persons in different parts of the Union. When the mitigated tariff of 1846 was passed, the sugar planters had the good fortune, or the address, to keep the duties on sugar at thirty per cent. on their value. Now that the attention of the people is turned to the enormity of the tax, we hope that no ceremony will be made with the planters, but that the duty will be wholly repealed."

Will the people again submit to this bargain and sale of their interests, and submit to these Sugar Taxes, simply to enable a few Sugar planters to realize immense revenues from their business? or will they demand of Congress to repeal the Sugar duties, and thereby do justice to all classes? Let the people call on Congress to do away with the Sugar Taxes, and place all sugars and molasses on the free list with tea and coffee.

Let them send forward their *petitions* to Congress to promote this object, and request their Senators and Representatives to not in meeting the wishes of twenty millions of Sugar consumers who no longer wish to be taxed on Sugar and molasses, while the Government do not absolutely require the revenue therefrom.

OHIO FREE SUGAR ADVOCATES.

Columbus, April, 1854.